

ROBERT M. CHARLES, JR.
State Bar No. 006593
E-mail: RCharles@LRRLaw.com
Lewis Roca Rothgerber LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Telephone: (702) 949-8320
Facsimile: (702) 949-8321

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re: USA Commercial Mortgage Company, Debtor.	Case No. BK-S-06-10725-LBR Chapter 11 Chapter 11 Case Status Report Date: October 29, 2014 Time: 10:30 a.m. Estimated Time for Hearing: 5 minutes
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The USACM Liquidating Trust ("USACM Trust") by its counsel, hereby submits the Chapter 11 Case Status Report directed by this Court's September 3, 2014 Order (DE 9920).

1. Post-Confirmation Reports.

The Post-Confirmation Reports are current. The Trust files quarterly reports with the Court. A copy of the most recent report is attached.

2. Scheduled Hearings and Trials.

Other than the Status Hearing scheduled on October 29, 2014 at 10:30 a.m., there are no scheduled hearings or trials.

3. Anticipated Motions, Objections, and Adversary Proceedings.

There are no anticipated motions, objections, or adversary proceedings to be filed in the case.

1 **4. Adversary Proceedings.**

2 There are no adversary proceedings pending to which the Trust is a party.

3 **5. Claims Objections.**

4 All claims objections have been resolved and all claims have either been allowed
5 or disallowed.

6 **6. Status of Distributions.**

7 The USACM Liquidating Trust has made periodic interim distributions on account
8 of allowed claims. As of August 31, 2014, the Trust held the sum of \$1,770,919.98 in its
9 accounts. Other than liquidation of the Trust's claims in the *Placer* receivership for its
10 servicer advance, along with interest and associated attorney's fees, which in the
11 aggregate total approximately \$1.2 million, the Trust does not anticipate receiving
12 additional funds for distribution to creditors.

13 **7. U.S. Trustee's Fees.**

14 United States Trustee's fees are current.

15 **8. A List of All Pending Actions.**

16 There is one adversary proceeding pending, to which the Trust is not a party. In
17 *USACM Liquidating Trust v. Compass USA SPE, LLC*, Adv. 08-ap-01066-LBR, an
18 action now prosecuted by Debt Acquisition Co. of America V, LLC ("DACA V"),
19 judgment was entered against Compass USA SPE, LLC and Compass Partners, LLC
20 ("Compass"). There are post-judgment proceedings pending. At the recommendation of
21 the bankruptcy court, on May 28, 2014, the United States District Court for the District of
22 Nevada ordered that the reference to the adversary proceeding be withdrawn in Case No.
23 2:14-cv-00455-RCJ PAL. The district court's order withdrawing the reference was
24 docketed on May 29, 2014 at Docket 150 in Case No. 08-ap-01066.

25 The bankruptcy filing by Asset Resolution LLC and other related Chapter 7
26 debtors in Case No. 09-32824-RCJ, remains pending. The case is administered by the
27 district judge, although the case is docketed in the bankruptcy court. A Chapter 7 trustee
28

1 has been appointed for the several debtors. The proceedings remain pending seeking to
2 liquidate the assets of Asset Resolution, LLC and its affiliates.

3 Because the USACM Liquidating Trust is not a party to either of these
4 proceedings, a more fulsome description of the anticipated proceedings is not provided,
5 nor is the bankruptcy court administrating these cases.

6 This court has previously determined that such cases must be resolved before this
7 case can be closed. The Trust is unable to estimate the anticipated date of completion of
8 such proceedings.

9 **9. Any Other Matter or Issue That Requires Resolution.**

10 The Trust identifies the issues that require resolution before the case can be closed
11 as for:

- 12 • Collection or sale of small judgments. The Trust is working on liquidating
13 the judgments, including that against Anthony and Susan Monaco.
- 14 • Collection of the Trust's claims in the *Placer* estate as noted above, or sale
15 of the *Placer* claims.
- 16 • Hantges Life Insurance. The Trust holds certain life insurance policies on
17 Thomas Hantges. The Trust has sought without success to obtain a buyer
18 for its interest in the policies, all of which require annual premium
19 payments. The Trust anticipates allowing the policies to be canceled for
20 non-payment of premiums because no buyer has been obtained, and there is
21 no cash surrender value.
- 22 • Other Litigation. The collection of the judgment by DACA V against
23 Compass and the bankruptcy cases of Asset Resolution LLC remain
24 pending and outside the control of the Trust.

1 Dated: October 17, 2014.

2 **LEWIS ROCA ROTHGERBER LLP**

3 By /s/ Robert M. Charles, Jr. (#6593)

4 Robert M. Charles, Jr. (NV 6593)

5 *Attorney for USACM Liquidating Trust*

CERTIFICATE OF SERVICE

1. On October 17, 2014, I served the following documents:

CHAPTER 11 CASE STATUS REPORT

2. I served the above-named document by the following means to the persons as listed below:

(Check all that apply)

☒ **a. ECF System** *(You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary)*

See attached list

☐ **b. United States mail, postage fully prepaid**
(List persons and addresses. Attach additional paper if necessary)

☐ **c. Personal Service** *(List persons and addresses. Attach additional paper if necessary)*
I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place or abode with someone of suitable age and discretion residing there.

☐ **d. By direct email (as opposed to through the ECF System)**
(List persons and email addresses. Attach additional paper if necessary)
Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **e. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*
Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ **f. By messenger** *(List persons and addresses. Attach additional paper if necessary)*
I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. *(A declaration by the messenger must be attached to this Certificate of Service).*

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I declare under penalty of perjury that the foregoing is true and correct.

Signed on October 17, 2014

Renee L. Creswell
(NAME OF DECLARANT)

Renee L. Creswell
(SIGNATURE OF DECLARANT)

1 MICHELLE L. ABRAMS on behalf of Cross Defendant ROCKLIN/REDDING LLC
mabrams@abramsprobateandplanning.com

2
3 MICHELLE L. ABRAMS on behalf of Cross-Claimant ROCKLIN/REDDING LLC
mabrams@abramsprobateandplanning.com

4 MICHELLE L. ABRAMS on behalf of Interested Party DEBT ACQUISITION COMPANY OF
5 AMERICA V, LLC (aw)
mabrams@abramsprobateandplanning.com

6
7 FRANKLIN C. ADAMS on behalf of Creditor JAMES CORISON
franklin.adams@bbklaw.com

8
9 D. CHRIS ALBRIGHT on behalf of Creditor MICHAEL and CAROL HEDLUND
dca@albrightstoddard.com, cgrey@albrightstoddard.com

10 NANCY L. ALLF on behalf of Defendant THE WILD WATER LP
11 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

12 NANCY L. ALLF on behalf of Defendant ALLEN ABOLAFIA
13 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

14 NANCY L. ALLF on behalf of Defendant BETTY KOLSTRUP
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

15 NANCY L. ALLF on behalf of Defendant CAROL N. HUBBARD
16 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

17 NANCY L. ALLF on behalf of Defendant CROSBIE B. RONNING
18 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

19 NANCY L. ALLF on behalf of Defendant EDWIN ARNOLD
20 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

21 NANCY L. ALLF on behalf of Defendant FLORENCE ALEXANDER
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

22 NANCY L. ALLF on behalf of Defendant GARETH A.R. CRANER
23 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

24 NANCY L. ALLF on behalf of Defendant GEORGE W. HUBBARD
25 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

26 NANCY L. ALLF on behalf of Defendant GRABLE P. RONNING
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

27 NANCY L. ALLF on behalf of Defendant HOWARD CONNELL
28 Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

1 NANCY L. ALLF on behalf of Defendant LORENE CONNELL
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

2
3 NANCY L. ALLF on behalf of Defendant M. CRAIG MEDOFF
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

4
5 NANCY L. ALLF on behalf of Defendant ROBERT L. OGREN
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

6
7 NANCY L. ALLF on behalf of Defendant STANLEY ALEXANDER
Nancy.Allf@gmail.com, karen.lawrence007@gmail.com;angela.nakamura007@gmail.com

8
9 ANDREW K ALPER on behalf of Interested Party DAYCO FUNDING CORPORATION
aalper@frandzel.com, efiling@frandzel.com,ekidder@frandzel.com

10
11 FRANK A. ANDERSON on behalf of Creditor PENSION BENEFIT GUARANTY
CORPORATION
anderson.frank@pbgc.gov, efile@pbgc.gov

12
13 OGONNA M. ATAMOH on behalf of Creditor SANTORO FAMILY TRUST UTD 4/29/02
oatamoh@nevadafirm.com,
oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

14
15 OGONNA M. ATAMOH on behalf of Defendant ASHBY USA, LLC
oatamoh@nevadafirm.com,
oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

16
17
18 OGONNA M. ATAMOH on behalf of Defendant FIESTA DEVELOPMENT, INC.
oatamoh@nevadafirm.com,
oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

19
20
21 OGONNA M. ATAMOH on behalf of Defendant MONACO DIVERSIFIED CORPORATION
oatamoh@nevadafirm.com,
oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

22
23
24 OGONNA M. ATAMOH on behalf of Defendant RANDOM DEVELOPMENTS, LLC
oatamoh@nevadafirm.com,
oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

25
26
27 OGONNA M. ATAMOH on behalf of Defendant ANTHONY MONACO
oatamoh@nevadafirm.com,
oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

1 OGONNA M. ATAMOH on behalf of Defendant RICHARD K ASHBY

oatamoh@nevadafirm.com,

2 oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
3 m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

4 OGONNA M. ATAMOH on behalf of Defendant SUSAN K MONACO

oatamoh@nevadafirm.com,

5 oatamoh@nevadafirm.com,rholley@nevadafirm.com;sdwkhtecf@gmail.com;oswibies@nevadafir
6 m.com;apestonit@nevadafirm.com;bkecf@nevadafirm.com

7 JON MAXWELL BEATTY on behalf of Interested Party USACM LIQUIDATING TRUST

mbeatty@diamondmccarthy.com

8 JON MAXWELL BEATTY on behalf of Plaintiff USACM LIQUIDATING TRUST

9 mbeatty@diamondmccarthy.com

10 KATIE BINDRUP on behalf of Creditor ROY R. VENTURA, JR.

11 Katie@davidbindrup.com

12 BMC GROUP, INC.

ecf@bmcgroup.com, mjohn@bmcgroup.com

13 GEORGANNE W. BRADLEY on behalf of Defendant COMPASS PARTNERS LLC

14 mopatry@kcnvlaw.com

15 GEORGANNE W. BRADLEY on behalf of Defendant COMPASS USA SPE LLC

16 mopatry@kcnvlaw.com

17 GEORGANNE W. BRADLEY on behalf of Defendant COMPASS USA SPE, LLC

18 mopatry@kcnvlaw.com

19 GEORGANNE W. BRADLEY on behalf of Defendant SILAR ADVISORS, LP

20 mopatry@kcnvlaw.com

21 GEORGANNE W. BRADLEY on behalf of Defendant SILAR SPECIAL OPPORTUNITIES
22 FUND, LP

mopatry@kcnvlaw.com

23 GEORGANNE W. BRADLEY on behalf of Defendant BORIS PISKUN

24 mopatry@kcnvlaw.com

25 GEORGANNE W. BRADLEY on behalf of Defendant DAVID BLATT

mopatry@kcnvlaw.com

26 GEORGANNE W. BRADLEY on behalf of Plaintiff COMPASS FINANCIAL PARTNERS LLC,
27 A DELAWARE LIMITED LIABILITY COMPANY

mopatry@kcnvlaw.com

28 GEORGANNE W. BRADLEY on behalf of Plaintiff COMPASS USA SPE, LLC

1 mopatrny@kcnvlaw.com

2 KELLY J. BRINKMAN on behalf of Creditor GOOLD PATTERSON ALES ROADHOUSE, &
3 DAY

kbrinkman@gooldpatterson.com, trovere@gooldpatterson.com

4 KELLY J. BRINKMAN on behalf of Creditor KAREN PETERSEN TYNDALL TRUST

5 kbrinkman@gooldpatterson.com, trovere@gooldpatterson.com

6 KELLY J. BRINKMAN on behalf of Creditor DANIEL J. OBERLANDER

7 kbrinkman@gooldpatterson.com, trovere@gooldpatterson.com

8 KELLY J. BRINKMAN on behalf of Creditor LUCIUS BLANCHARD

9 kbrinkman@gooldpatterson.com, trovere@gooldpatterson.com

10 JOSHUA J. BRUCKERHOFF on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC

11 jbruckerhoff@rctlegal.com, tstone@rctlegal.com;mmyers@rctlegal.com

12 ANDREW M. BRUMBY on behalf of Creditor STANDARD PROPERTY DEVELOPMENT,
13 LLC

abrumby@shutts-law.com, dbonilla@shutts-law.com;lmackson@shutts-law.com

14 ANDREW M. BRUMBY on behalf of Defendant STANDARD PROPERTY DEVELOPMENT,
15 LLC

16 abrumby@shutts-law.com, dbonilla@shutts-law.com;lmackson@shutts-law.com

17 LOUIS M. BUBALA, III on behalf of Creditor BALTES COMPANY

18 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

19 LOUIS M. BUBALA, III on behalf of Creditor CHARLES B. ANDERSON TRUST

20 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

21 LOUIS M. BUBALA, III on behalf of Creditor DEATH VALLEY ACQUISITIONS, LLC

22 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

23 LOUIS M. BUBALA, III on behalf of Creditor ESTATE OF DANIEL TABAS

24 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

25 LOUIS M. BUBALA, III on behalf of Creditor FERTITTA ENTERPRISES, INC.

26 lbubala@kcnvlaw.com,
27 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

28 LOUIS M. BUBALA, III on behalf of Creditor KEHL DEVELOPMENT CORPORATION

1 lbubala@kcnvlaw.com,
2 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

3 LOUIS M. BUBALA, III on behalf of Creditor KEVIN KEHL ITF ANDREW KEHL
4 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

5 LOUIS M. BUBALA, III on behalf of Creditor KEVIN KEHL ITF SUSAN L. KEHL
6 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

7 LOUIS M. BUBALA, III on behalf of Creditor MOJAVE CANYON INC.
8 lbubala@kcnvlaw.com,
9 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

10 LOUIS M. BUBALA, III on behalf of Creditor RITA P. ANDERSON TRUST
11 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

12 LOUIS M. BUBALA, III on behalf of Creditor WARREN HOFFMAN FAMILY
13 INVESTMENTS, LP
lbubala@kcnvlaw.com,
14 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

15 LOUIS M. BUBALA, III on behalf of Creditor CHRISTINA "TINA" M KEHL
16 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

17 LOUIS M. BUBALA, III on behalf of Creditor CHRISTINA M. KEHL
18 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

19 LOUIS M. BUBALA, III on behalf of Creditor CYNTHIA A. WINTER
20 lbubala@kcnvlaw.com,
21 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

22 LOUIS M. BUBALA, III on behalf of Creditor DANIEL J. KEHL
23 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

24 LOUIS M. BUBALA, III on behalf of Creditor JOHN L. ANDERSEN
25 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

26 LOUIS M. BUBALA, III on behalf of Creditor JUDY A. BONNET
27 lbubala@kcnvlaw.com,
28 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

LOUIS M. BUBALA, III on behalf of Creditor KEVIN A. KEHL

1 lbubala@kcnvlaw.com,
2 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

3 LOUIS M. BUBALA, III on behalf of Creditor KEVIN A. MCKEE
4 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

5 LOUIS M. BUBALA, III on behalf of Creditor KRYSTINA L. KEHL
6 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

7 LOUIS M. BUBALA, III on behalf of Creditor PATRICK J. ANGLIN
8 lbubala@kcnvlaw.com,
9 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

10 LOUIS M. BUBALA, III on behalf of Creditor ROBERT A. KEHL
11 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

12 LOUIS M. BUBALA, III on behalf of Creditor RUTH ANN KEHL
13 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

14 LOUIS M. BUBALA, III on behalf of Plaintiff KEHL DEVELOPMENT CORPORATION
15 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

16 LOUIS M. BUBALA, III on behalf of Plaintiff WARREN HOFFMAN FAMILY
17 INVESTMENTS, LP
18 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

19 LOUIS M. BUBALA, III on behalf of Plaintiff ANDREW R. KEHL
20 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

21 LOUIS M. BUBALA, III on behalf of Plaintiff CHRISTINA "TINA" M KEHL
22 lbubala@kcnvlaw.com,
23 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

24 LOUIS M. BUBALA, III on behalf of Plaintiff CHRISTINA M. KEHL
25 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

26 LOUIS M. BUBALA, III on behalf of Plaintiff CYNTHIA A. WINTER
27 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

28 LOUIS M. BUBALA, III on behalf of Plaintiff DANIEL J. KEHL

1 lbubala@kcnvlaw.com,
2 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

3 LOUIS M. BUBALA, III on behalf of Plaintiff JUDY A. BONNET
4 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

5 LOUIS M. BUBALA, III on behalf of Plaintiff KEVIN A. KEHL
6 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

7 LOUIS M. BUBALA, III on behalf of Plaintiff KEVIN A. MCKEE
8 lbubala@kcnvlaw.com,
9 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

10 LOUIS M. BUBALA, III on behalf of Plaintiff KRYSTINA L. KEHL
11 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

12 LOUIS M. BUBALA, III on behalf of Plaintiff PAMELA J. MCKEE
13 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

14 LOUIS M. BUBALA, III on behalf of Plaintiff PATRICK J. ANGLIN
15 lbubala@kcnvlaw.com,
16 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

17 LOUIS M. BUBALA, III on behalf of Plaintiff ROBERT A. KEHL
18 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

19 LOUIS M. BUBALA, III on behalf of Plaintiff ROBERT J. KEHL
20 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

21 LOUIS M. BUBALA, III on behalf of Plaintiff RUTH ANN KEHL
22 lbubala@kcnvlaw.com,
bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

23 LOUIS M. BUBALA, III on behalf of Plaintiff SUSAN L. KEHL
24 lbubala@kcnvlaw.com,
25 bubalalawyer@gmail.com;wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

26 MATTHEW Q. CALLISTER on behalf of Interested Party CURTIS F CLARK
27 mqc@call-law.com,beckomt@call-law.com, mcox@call-law.com;jclv@call-law.com;pjc@call-
law.com

28 CANDACE C CARLYON on behalf of Creditor WELLS FARGO BANK OF NEVADA AND
WELLS FARGO BANK

ccarlyon@ccarlyon.com, docket@ccarlyon.com;ccarlyon@ccarlyon.com

CANDACE C CARLYON on behalf of Creditor Committee OFFICIAL COMMITTEE OF
EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC
ccarlyon@ccarlyon.com, docket@ccarlyon.com;ccarlyon@ccarlyon.com

MICHAEL W. CARMEL
michael@mcarmellaw.com, nancy@mcarmellaw.com;ritkin@steptoe.com

ROBERT M. CHARLES, JR. on behalf of Attorney LEWIS AND ROCA LLP
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Counter-Defendant USACM LIQUIDATING TRUST
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Creditor USACM LIQUIDATING TRUST
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Creditor Committee OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Debtor USA COMMERCIAL MORTGAGE
COMPANY
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Defendant USA COMMERCIAL MORTGAGE
COMPANY
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Defendant USACM LIQUIDATING TRUST
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Defendant GEOFFREY L. BERMAN
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Interested Party OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Interested Party USACM LIQUIDATING TRUST
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST
DEED FUND LLC
rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

ROBERT M. CHARLES, JR. on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC

1 rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

2 ROBERT M. CHARLES, JR. on behalf of Plaintiff USACM LIQUIDATING TRUST
3 rcharles@lrlaw.com, BankruptcyNotices@LRLaw.com

4 MICHAEL W. CHEN on behalf of Creditor HSBC AUTO FINANCE
5 bknotice@mccarthyholthus.com, mchen@mccarthyholthus.com

6 MICHAEL W. CHEN on behalf of Creditor Margarita Jung
7 bknotice@mccarthyholthus.com, mchen@mccarthyholthus.com

8 KEVIN B. CHRISTENSEN on behalf of Creditor ROSEBERRY FAMILY LP
9 kbc@cjmlv.com

10 KEVIN B. CHRISTENSEN on behalf of Creditor RICHARD G WORTHEN
11 kbc@cjmlv.com

12 JANET L. CHUBB on behalf of Creditor BALTES COMPANY
13 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

14 JANET L. CHUBB on behalf of Creditor CHARLES B. ANDERSON TRUST
15 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

16 JANET L. CHUBB on behalf of Creditor DEATH VALLEY ACQUISITIONS, LLC
17 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

18 JANET L. CHUBB on behalf of Creditor ESTATE OF DANIEL TABAS
19 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

20 JANET L. CHUBB on behalf of Creditor FERTITTA ENTERPRISES, INC.
21 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

22 JANET L. CHUBB on behalf of Creditor JUDITH L. FOUNTAIN IRREVOCABLE TRUST
23 DATED 8/26/97
24 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

25 JANET L. CHUBB on behalf of Creditor KEHL DEVELOPMENT CORPORATION
26 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

27 JANET L. CHUBB on behalf of Creditor KEVIN KEHL ITF ANDREW KEHL
28 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Creditor KEVIN KEHL ITF SUSAN L. KEHL
lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Creditor MOJAVE CANYON INC.
lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Creditor RITA P. ANDERSON TRUST

3993 Howard Hughes Parkway
Suite 600
Las Vegas, NV 89169-5996

**LEWIS ROCA
ROTHGERBER**

1 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

2 JANET L. CHUBB on behalf of Creditor WARREN HOFFMAN FAMILY INVESTMENTS, LP
3 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

4 JANET L. CHUBB on behalf of Creditor CHRISTINA "TINA" M KEHL
5 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

6 JANET L. CHUBB on behalf of Creditor CHRISTINA M. KEHL
7 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

8 JANET L. CHUBB on behalf of Creditor CYNTHIA A. WINTER
9 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

10 JANET L. CHUBB on behalf of Creditor DANIEL J. KEHL
11 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

12 JANET L. CHUBB on behalf of Creditor JOSEPH AND LORETTA DONNOLO
13 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

14 JANET L. CHUBB on behalf of Creditor JUDY A. BONNET
15 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

16 JANET L. CHUBB on behalf of Creditor KEVIN A. KEHL
17 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

18 JANET L. CHUBB on behalf of Creditor KEVIN A. MCKEE
19 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

20 JANET L. CHUBB on behalf of Creditor KRYSTINA L. KEHL
21 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

22 JANET L. CHUBB on behalf of Creditor LOU O. MALDONADO
23 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

24 JANET L. CHUBB on behalf of Creditor PATRICK J. ANGLIN
25 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

26 JANET L. CHUBB on behalf of Creditor ROBERT A. KEHL
27 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

28 JANET L. CHUBB on behalf of Creditor RUTH ANN KEHL
lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Defendant ROBERT J. AND RUTH A. KEHL
lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Interested Party DIRECT LENDERS-BENEFICIARIES
lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

1 JANET L. CHUBB on behalf of Interested Party KEHL FAMILY

2 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

3 JANET L. CHUBB on behalf of Plaintiff KEHL DEVELOPMENT CORPORATION

4 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

5 JANET L. CHUBB on behalf of Plaintiff WARREN HOFFMAN FAMILY INVESTMENTS, LP

6 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

7 JANET L. CHUBB on behalf of Plaintiff ANDREW R. KEHL

8 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

9 JANET L. CHUBB on behalf of Plaintiff CHRISTINA "TINA" M KEHL

10 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

11 JANET L. CHUBB on behalf of Plaintiff CHRISTINA M. KEHL

12 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

13 JANET L. CHUBB on behalf of Plaintiff CYNTHIA A. WINTER

14 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

15 JANET L. CHUBB on behalf of Plaintiff DANIEL J. KEHL

16 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

17 JANET L. CHUBB on behalf of Plaintiff JUDY A. BONNET

18 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

19 JANET L. CHUBB on behalf of Plaintiff KEVIN A. KEHL

20 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

21 JANET L. CHUBB on behalf of Plaintiff KEVIN A. MCKEE

22 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

23 JANET L. CHUBB on behalf of Plaintiff KRYSTINA L. KEHL

24 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

25 JANET L. CHUBB on behalf of Plaintiff PAMELA J. MCKEE

26 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

27 JANET L. CHUBB on behalf of Plaintiff PATRICK J. ANGLIN

28 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Plaintiff ROBERT A. KEHL

lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

JANET L. CHUBB on behalf of Plaintiff ROBERT J. KEHL

lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

1 JANET L. CHUBB on behalf of Plaintiff RUTH ANN KEHL
lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

2 JANET L. CHUBB on behalf of Plaintiff SUSAN L. KEHL
3 lbubala@kcnvlaw.com, wapplegate@kcnvlaw.com;cbyrne@kcnvlaw.com

4 ANTHONY CIULLA on behalf of Defendant BOISE/GOWEN 93, LLC
5 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

6 ANTHONY CIULLA on behalf of Defendant COPPER SAGE COMMERCE CENTER, LLC
7 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

8 ANTHONY CIULLA on behalf of Defendant DER NV INVESCO, LLC
9 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

10 ANTHONY CIULLA on behalf of Defendant FREEWAY 101 USA INVESTORS, LLC
aciulla@deanerlaw.com, ddickinson@deanerlaw.com

11 ANTHONY CIULLA on behalf of Defendant FWY 101 LOOP RAR INVESTMENT, LLC
12 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

13 ANTHONY CIULLA on behalf of Defendant RUSSELL A D DEVELOPMENT GROUP, LLC
14 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

15 ANTHONY CIULLA on behalf of Defendant SVRB INVESTMENTS, LLC
16 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

17 ANTHONY CIULLA on behalf of Defendant DEBORAH RUSSELL
aciulla@deanerlaw.com, ddickinson@deanerlaw.com

18 ANTHONY CIULLA on behalf of Defendant ROBERT A RUSSELL
19 aciulla@deanerlaw.com, ddickinson@deanerlaw.com

20 DAVID A. COLVIN on behalf of Defendant AURORA INVESTMENTS LP
21 dcolvin@maclaw.com, mwalters@maclaw.com

22 DAVID A. COLVIN on behalf of Defendant BROUWERS FAMILY LP
dcolvin@maclaw.com, mwalters@maclaw.com

23 DAVID A. COLVIN on behalf of Defendant FIRST SAVINGS BANK FBO VALLIERA
24 MCGUIRE
25 dcolvin@maclaw.com, mwalters@maclaw.com

26 DAVID A. COLVIN on behalf of Defendant FRANCIS FAMILY TRUST
dcolvin@maclaw.com, mwalters@maclaw.com

27 DAVID A. COLVIN on behalf of Defendant JWB INVESTMENTS, INC.
28 dcolvin@maclaw.com, mwalters@maclaw.com

3993 Howard Hughes Parkway
Suite 600
Las Vegas, NV 89169-5996

**LEWIS ROCA
ROTHGERBER**

1 DAVID A. COLVIN on behalf of Defendant MORNINGSIDE HOMES, INC.
dcolvin@maclaw.com, mwalters@maclaw.com

2
3 DAVID A. COLVIN on behalf of Defendant PAUL BLOCH LIVING TRUST
dcolvin@maclaw.com, mwalters@maclaw.com

4 DAVID A. COLVIN on behalf of Defendant SIMON FAMILY TRUST
5 dcolvin@maclaw.com, mwalters@maclaw.com

6 DAVID A. COLVIN on behalf of Defendant JENNIFER MIDDLETON
7 dcolvin@maclaw.com, mwalters@maclaw.com

8 DAVID A. COLVIN on behalf of Defendant LARRY C JOHNS
9 dcolvin@maclaw.com, mwalters@maclaw.com

10 DAVID A. COLVIN on behalf of Defendant LARRY J MIDDLETON
dcolvin@maclaw.com, mwalters@maclaw.com

11 DAVID A. COLVIN on behalf of Defendant LINDA JANOVITCH
12 dcolvin@maclaw.com, mwalters@maclaw.com

13 DAVID A. COLVIN on behalf of Defendant MARY L JOHNS
14 dcolvin@maclaw.com, mwalters@maclaw.com

15 DAVID A. COLVIN on behalf of Defendant ROBERT M PORTNOFF
dcolvin@maclaw.com, mwalters@maclaw.com

16 DAVID A. COLVIN on behalf of Defendant SARAH PORTNOFF
17 dcolvin@maclaw.com, mwalters@maclaw.com

18 DAVID A. COLVIN on behalf of Defendant STEVEN JANOVITCH
19 dcolvin@maclaw.com, mwalters@maclaw.com

20 DAVID A. COLVIN on behalf of Defendant STEVEN PORTNOFF
21 dcolvin@maclaw.com, mwalters@maclaw.com

22 WILLIAM D COPE on behalf of Creditor COPE & GUERRA
william@copebklaw.com

23 WILLIAM D COPE on behalf of Creditor LESTER AVILA
24 cope_guerra@yahoo.com

25 WILLIAM D COPE on behalf of Creditor LESTER AVILA
26 william@copebklaw.com

27 CICI CUNNINGHAM on behalf of Creditor HIGHLAND CRUSADER FUND, LTD.
ciciesq@cox.net

28 CICI CUNNINGHAM on behalf of Creditor ML CBO IV (CAYMAN) LTD.

3993 Howard Hughes Parkway
Suite 600
Las Vegas, NV 89169-5996

**LEWIS ROCA
ROTHGERBER**

1 ciciesq@cox.net

2 CICI CUNNINGHAM on behalf of Creditor PAM CAPITAL FUNDING, L.P.
3 ciciesq@cox.net

4 CICI CUNNINGHAM on behalf of Creditor PAMCO CAYMAN, LTD.
5 ciciesq@cox.net

6 CICI CUNNINGHAM on behalf of Creditor PCMG TRADING PARTNERS XXII, L.P.
7 ciciesq@cox.net

8 CICI CUNNINGHAM on behalf of Creditor PROSPECT HIGH INCOME FUND
9 ciciesq@cox.net

10 LAUREL E. DAVIS on behalf of Interested Party CANEPA GROUP
11 mhurtado@fclaw.com

12 LAUREL E. DAVIS on behalf of Interested Party EVELYN G CANEPA TRUST
13 mhurtado@fclaw.com

14 LAUREL E. DAVIS on behalf of Interested Party GARY T. & LORI R. CANEPA, TRUSTEES
15 OF THE G. & L. TRUST
16 mhurtado@fclaw.com

17 LAUREL E. DAVIS on behalf of Interested Party LOUIS JOHN CANEPA TRUSTEE OF THE
18 LOUIS JOHN CANEPA REVOCABLE TRUST
19 mhurtado@fclaw.com

20 LAUREL E. DAVIS on behalf of Interested Party SCOTT K CANEPA DEFINED BENEFIT
21 PENSION PLAN
22 mhurtado@fclaw.com

23 LAUREL E. DAVIS on behalf of Interested Party MICHAEL WAGNON
24 mhurtado@fclaw.com

25 LAUREL E. DAVIS on behalf of Interested Party SCOTT K CANEPA
26 mhurtado@fclaw.com

27 LAUREL E. DAVIS on behalf of Interested Party SHAWNTELLE DAVIS-CANEPA
28 mhurtado@fclaw.com

J CRAIG DEMETRAS on behalf of Creditor PAUL LINNEY
mail@demetras-oneill.com

ALLAN B. DIAMOND on behalf of Creditor Committee OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY
adiamond@diamondmccarthy.com

ALLAN B. DIAMOND on behalf of Interested Party USACM LIQUIDATING TRUST

1 adiamond@diamondmccarthy.com

2 ALLAN B. DIAMOND on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
3 FUND LLC

adiamond@diamondmccarthy.com

4 ALLAN B. DIAMOND on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
5 FUND, LLC

adiamond@diamondmccarthy.com

6
7 ALLAN B. DIAMOND on behalf of Plaintiff USA CAPITAL FIRST TRUST DEED FUND,
8 LLC

adiamond@diamondmccarthy.com

9 ALLAN B. DIAMOND on behalf of Plaintiff USACM LIQUIDATING TRUST

adiamond@diamondmccarthy.com

10
11 BRADLEY PAUL ELLEY on behalf of Creditor RETIREMENT ACCOUNTS, INC.

bpelleylawbk@sbcglobal.net, elnivnv@sbcglobal.net

12
13 BRADLEY PAUL ELLEY on behalf of Creditor TESSERACT TRUST DATED 3/31/04

bpelleylawbk@sbcglobal.net, elnivnv@sbcglobal.net

14
15 FRANK A ELLIS, III on behalf of Creditor ANDREW WELCHER

fellis@lvbusinesslaw.com, laurenc@lvbusinesslaw.com;gailk@lvbusinesslaw.com

16
17 THOMAS H. FELL on behalf of Attorney GORDON & SILVER, LTD.

BANKRUPTCYNOTICES@GORDONSILVER.COM;bknotices@gordonsilver.com

18
19 THOMAS H. FELL on behalf of Creditor BUCKALEW TRUST

BANKRUPTCYNOTICES@GORDONSILVER.COM;bknotices@gordonsilver.com

20
21 THOMAS H. FELL on behalf of Creditor Committee OFFICIAL COMMITTEE OF

EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY

BANKRUPTCYNOTICES@GORDONSILVER.COM;bknotices@gordonsilver.com

22
23 SCOTT D. FLEMING on behalf of Creditor GEORGE GAGE TRUST DATED 10-8-99

sfleming@armstrongteasdale.com, rfortin@armstrongteasdale.com

24
25 SCOTT D. FLEMING on behalf of Creditor LOS VALLES LAND & GOLF, LLC

sfleming@armstrongteasdale.com, rfortin@armstrongteasdale.com

26
27 SCOTT D. FLEMING on behalf of Creditor GEORGE & MIRIAM GAGE

sfleming@armstrongteasdale.com, rfortin@armstrongteasdale.com

28
29 SCOTT D. FLEMING on behalf of Interested Party BANK OF AMERICA

sfleming@armstrongteasdale.com, rfortin@armstrongteasdale.com

SCOTT D. FLEMING on behalf of Plaintiff SPECTRUM FINANCIAL GROUP

1 sfleming@armstrongteasdale.com, rfortin@armstrongteasdale.com

2 SCOTT D. FLEMING on behalf of Plaintiff ROLAND WEDDELL
3 sfleming@armstrongteasdale.com, rfortin@armstrongteasdale.com

4 GREGORY E GARMAN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
5 EQUITY SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND,
6 LLC
7 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

8 GREGORY E GARMAN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
9 EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY
10 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

11 GREGORY E GARMAN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
12 HOLDERS EXECUTORY CONTRACT RIGHTS THRU USA COMMERCIAL MTG CO
13 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

14 DOUGLAS D. GERRARD on behalf of Counter-Claimant SALVATORE J REALE
15 DGERRARD@GERRARD-COX.COM, ekaymedellin@gerrard-cox.com; jbidwell@gerrard-
16 cox.com; KBassett@Gerrard-Cox.com

17 DOUGLAS D. GERRARD on behalf of Cross Defendant SALVATORE J REALE
18 DGERRARD@GERRARD-COX.COM, ekaymedellin@gerrard-cox.com; jbidwell@gerrard-
19 cox.com; KBassett@Gerrard-Cox.com

20 DOUGLAS D. GERRARD on behalf of Cross-Claimant SALVATORE J REALE
21 DGERRARD@GERRARD-COX.COM, ekaymedellin@gerrard-cox.com; jbidwell@gerrard-
22 cox.com; KBassett@Gerrard-Cox.com

23 DOUGLAS D. GERRARD on behalf of Defendant SALVATORE J REALE
24 DGERRARD@GERRARD-COX.COM, ekaymedellin@gerrard-cox.com; jbidwell@gerrard-
25 cox.com; KBassett@Gerrard-Cox.com

26 WADE B. GOCHNOUR on behalf of Creditor LIBERTY BANK
27 WGochnour@howardandhoward.com

28 WADE B. GOCHNOUR on behalf of Interested Party LIBERTY BANK
WBG@h2law.com

CARLOS A. GONZALEZ on behalf of Creditor PENSION BENEFIT GUARANTY
CORPORATION
Darlene.Ruckard@usdoj.gov, Mary.Booker@usdoj.gov, doriayn.olivarra@usdoj.gov, sue.knight@u
sdoj.gov,

CARLOS A. GONZALEZ on behalf of Interested Party UNITED STATES OF AMERICA
Darlene.Ruckard@usdoj.gov, Mary.Booker@usdoj.gov, doriayn.olivarra@usdoj.gov, sue.knight@u
sdoj.gov,

1 GERALD M GORDON on behalf of Creditor Committee OFFICIAL COMMITTEE OF
2 EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY
bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

3 GERALD M GORDON on behalf of Creditor Committee OFFICIAL COMMITTEE OF
4 HOLDERS EXECUTORY CONTRACT RIGHTS THRU USA COMMERCIAL MTG CO
bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

5 GERALD M GORDON on behalf of Defendant HMA SALES LLC
6 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

7 R. VAUGHN GOURLEY on behalf of Creditor GATEWAY STONE ASSOCIATES, LLC
8 vgourley@sghlawfirm.com

9 R. VAUGHN GOURLEY on behalf of Creditor STANDARD PROPERTY DEVELOPMENT,
10 LLC
vgourley@sghlawfirm.com

11 R. VAUGHN GOURLEY on behalf of Defendant GATEWAY STONE ASSOCIATES, LLC
12 vgourley@sghlawfirm.com

13 TALITHA B. GRAY KOZLOWSKI on behalf of Creditor Committee OFFICIAL COMMITTEE
14 OF EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE
COMPANY
15 bankruptcynotices@gordonsilver.com;bknotices@gordonsilver.com

16 TALITHA B. GRAY KOZLOWSKI on behalf of Creditor Committee OFFICIAL COMMITTEE
17 OF HOLDERS EXECUTORY CONTRACT RIGHTS THRU USA COMMERCIAL MTG CO
bankruptcynotices@gordonsilver.com;bknotices@gordonsilver.com

18 TALITHA B. GRAY KOZLOWSKI on behalf of Defendant HMA SALES LLC
19 bankruptcynotices@gordonsilver.com;bknotices@gordonsilver.com

20 JAMES D. GREENE on behalf of Creditor CAPITAL CROSSING BANK
jgreene@greeneinfusolaw.com,
21 fritchie@greeneinfusolaw.com;kfarney@greeneinfusolaw.com;swalkenshaw@greeneinfusolaw.co
22 m;cwalton@greeneinfusolaw.com

23 JAMES D. GREENE on behalf of Creditor PLATINUM PROPERTIES 1, INC.
jgreene@greeneinfusolaw.com,
24 fritchie@greeneinfusolaw.com;kfarney@greeneinfusolaw.com;swalkenshaw@greeneinfusolaw.co
25 m;cwalton@greeneinfusolaw.com

26 JAMES D. GREENE on behalf of Creditor SB INVESTORS
jgreene@greeneinfusolaw.com,
27 fritchie@greeneinfusolaw.com;kfarney@greeneinfusolaw.com;swalkenshaw@greeneinfusolaw.co
28 m;cwalton@greeneinfusolaw.com

JAMES D. GREENE on behalf of Cross-Claimant PLATINUM PROPERTIES 1, INC.

1 jgreene@greeneinfusolaw.com,
2 fritchie@greeneinfusolaw.com;kfarney@greeneinfusolaw.com;swalkenshaw@greeneinfusolaw.co
m;cwalton@greeneinfusolaw.com

3 MARK H. GUNDERSON on behalf of Creditor SPECTRUM FINANCIAL GROUP
4 kharris@gundersonlaw.com

5 PETER W. GUYON on behalf of Cross Defendant GREAT WHITE INVESTMENTS, NV, INC.
6 pguyon@yahoo.com

7 PETER W. GUYON on behalf of Cross Defendant JAYEM FAMILY LTD PARTNERSHIP
8 pguyon@yahoo.com

9 PETER W. GUYON on behalf of Cross Defendant R&N REAL ESTATE INVESTMENTS
10 pguyon@yahoo.com

11 PETER W. GUYON on behalf of Cross Defendant R.G.T. MILLER (TRUSTEE)
12 pguyon@yahoo.com

13 PETER W. GUYON on behalf of Cross Defendant AIMEE KEARNS
14 pguyon@yahoo.com

15 PETER W. GUYON on behalf of Cross Defendant ARLENE KRAUS
16 pguyon@yahoo.com

17 PETER W. GUYON on behalf of Cross Defendant BERNARD KRAUS
18 pguyon@yahoo.com

19 PETER W. GUYON on behalf of Cross Defendant BETTY PHENIX
20 pguyon@yahoo.com

21 PETER W. GUYON on behalf of Cross Defendant BOB ALUM
22 pguyon@yahoo.com

23 PETER W. GUYON on behalf of Cross Defendant DAVID STIBOR
24 pguyon@yahoo.com

25 PETER W. GUYON on behalf of Cross Defendant DENNIS F. SIPIORSKI
26 pguyon@yahoo.com

27 PETER W. GUYON on behalf of Cross Defendant FRANK J. BELMONTE, JR.
28 pguyon@yahoo.com

PETER W. GUYON on behalf of Cross Defendant GARY BRENNAN
pguyon@yahoo.com

PETER W. GUYON on behalf of Cross Defendant HARV GASTALDI
pguyon@yahoo.com

1 PETER W. GUYON on behalf of Cross Defendant JACQUES M. MASSA
pguyon@yahoo.com

2
3 PETER W. GUYON on behalf of Cross Defendant JASON G LANDESS
pguyon@yahoo.com

4 PETER W. GUYON on behalf of Cross Defendant JEAN JACQUES BERTHELOT
5 pguyon@yahoo.com

6 PETER W. GUYON on behalf of Cross Defendant JOSEPH B. LAFAYETTE
7 pguyon@yahoo.com

8 PETER W. GUYON on behalf of Cross Defendant KENNETH TRECHT
9 pguyon@yahoo.com

10 PETER W. GUYON on behalf of Cross Defendant KLAUS KOPF
pguyon@yahoo.com

11 PETER W. GUYON on behalf of Cross Defendant PAUL BRUGGEMANS
12 pguyon@yahoo.com

13 PETER W. GUYON on behalf of Cross Defendant ROBERT J. VERCHOTA
14 pguyon@yahoo.com

15 PETER W. GUYON on behalf of Cross Defendant RUSSELL J. ZUARDO
pguyon@yahoo.com

16 PETER W. GUYON on behalf of Cross Defendant STEVE WALTERS
17 pguyon@yahoo.com

18 PETER W. GUYON on behalf of Cross Defendant SVEN LEVIN
19 pguyon@yahoo.com

20 PETER W. GUYON on behalf of Cross Defendant VINCENT GREEN
21 pguyon@yahoo.com

22 PETER W. GUYON on behalf of Cross Defendant WILLIAM F ERRINGTON
pguyon@yahoo.com

23 PETER W. GUYON on behalf of Defendant GREAT WHITE INVESTMENTS, NV, INC.
24 pguyon@yahoo.com

25 PETER W. GUYON on behalf of Defendant JAYEM FAMILY LTD PARTNERSHIP
26 pguyon@yahoo.com

27 PETER W. GUYON on behalf of Defendant R&N REAL ESTATE INVESTMENTS
pguyon@yahoo.com

28 PETER W. GUYON on behalf of Defendant R.G.T. MILLER (TRUSTEE)

1 pguyon@yahoo.com

2 PETER W. GUYON on behalf of Defendant AIMEE KEARNS
3 pguyon@yahoo.com

4 PETER W. GUYON on behalf of Defendant ARLENE KRAUS
5 pguyon@yahoo.com

6 PETER W. GUYON on behalf of Defendant BERNARD KRAUS
7 pguyon@yahoo.com

8 PETER W. GUYON on behalf of Defendant BETTY PHENIX
9 pguyon@yahoo.com

10 PETER W. GUYON on behalf of Defendant BOB ALUM
11 pguyon@yahoo.com

12 PETER W. GUYON on behalf of Defendant DAVID STIBOR
13 pguyon@yahoo.com

14 PETER W. GUYON on behalf of Defendant DENNIS F. SIPIORSKI
15 pguyon@yahoo.com

16 PETER W. GUYON on behalf of Defendant FRANK J. BELMONTE, JR.
17 pguyon@yahoo.com

18 PETER W. GUYON on behalf of Defendant GARY BRENNAN
19 pguyon@yahoo.com

20 PETER W. GUYON on behalf of Defendant HARV GASTALDI
21 pguyon@yahoo.com

22 PETER W. GUYON on behalf of Defendant JACQUES M. MASSA
23 pguyon@yahoo.com

24 PETER W. GUYON on behalf of Defendant JASON G LANDESS
25 pguyon@yahoo.com

26 PETER W. GUYON on behalf of Defendant JEAN JACQUES BERTHELOT
27 pguyon@yahoo.com

28 PETER W. GUYON on behalf of Defendant JOSEPH B. LAFAYETTE
pguyon@yahoo.com

29 PETER W. GUYON on behalf of Defendant KENNETH TRECHT
pguyon@yahoo.com

30 PETER W. GUYON on behalf of Defendant KLAUS KOPF
pguyon@yahoo.com

1 PETER W. GUYON on behalf of Defendant PAUL BRUGGEMANS
2 pguyon@yahoo.com

3 PETER W. GUYON on behalf of Defendant ROBERT J. VERCHOTA
4 pguyon@yahoo.com

5 PETER W. GUYON on behalf of Defendant RUSSELL J. ZUARDO
6 pguyon@yahoo.com

7 PETER W. GUYON on behalf of Defendant STEVE WALTERS
8 pguyon@yahoo.com

9 PETER W. GUYON on behalf of Defendant SVEN LEVIN
10 pguyon@yahoo.com

11 PETER W. GUYON on behalf of Defendant VINCENT GREEN
12 pguyon@yahoo.com

13 PETER W. GUYON on behalf of Defendant WILLIAM F ERRINGTON
14 pguyon@yahoo.com

15 XANNA R. HARDMAN on behalf of Creditor ROSEBERRY FAMILY LP
16 xhardman@bhfs.com

17 XANNA R. HARDMAN on behalf of Creditor RICHARD G WORTHEN
18 xhardman@bhfs.com

19 STEPHEN R HARRIS on behalf of Creditor FRANK SNOPKO
20 noticesbh&p@harrislawreno.com;hannah@harrislawreno.com;reception@harrislawreno.com;hele
21 na@harrislawreno.com;norma@harrislawreno.com;ellie@harrislawreno.com

22 STEPHEN R HARRIS on behalf of Defendant ROCKLIN/REDDING LLC
23 noticesbh&p@harrislawreno.com;hannah@harrislawreno.com;reception@harrislawreno.com;hele
24 na@harrislawreno.com;norma@harrislawreno.com;ellie@harrislawreno.com

25 STEPHEN R HARRIS on behalf of Interested Party ROCKLIN/REDDING LLC
26 noticesbh&p@harrislawreno.com;hannah@harrislawreno.com;reception@harrislawreno.com;hele
27 na@harrislawreno.com;norma@harrislawreno.com;ellie@harrislawreno.com

28 JEFFREY L HARTMAN on behalf of Creditor DOUGLAS CARSON
29 notices@bankruptcyreno.com, sji@bankruptcyreno.com

30 JEFFREY L HARTMAN on behalf of Interested Party THE MACDONALD CENTER FOR
31 ARTS AND HUMANITIES
32 notices@bankruptcyreno.com, sji@bankruptcyreno.com

33 BRIGID M. HIGGINS on behalf of Creditor Committee OFFICIAL COMMITTEE OF
34 EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY

1 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

2 BRIGID M. HIGGINS on behalf of Creditor Committee OFFICIAL COMMITTEE OF
3 HOLDERS EXECUTORY CONTRACT RIGHTS THRU USA COMMERCIAL MTG CO
bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

4 BRIGID M. HIGGINS on behalf of Cross-Claimant HMA SALES, LLC
5 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

6 BRIGID M. HIGGINS on behalf of Defendant HMA SALES LLC
7 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

8 BRIGID M. HIGGINS on behalf of Defendant HMA SALES, LLC
9 bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

10 MELANIE A. HILL on behalf of Defendant SILAR ADVISORS, LP
Melanie@MelanieHillLaw.com, KristinSmith23@gmail.com

11 MELANIE A. HILL on behalf of Defendant SILAR SPECIAL OPPORTUNITIES FUND, LP
12 Melanie@MelanieHillLaw.com, KristinSmith23@gmail.com

13 MELANIE A. HILL on behalf of Respondent SILAR ADVISORS, LP
14 Melanie@MelanieHillLaw.com, KristinSmith23@gmail.com

15 MELANIE A. HILL on behalf of Respondent SILAR SPECIAL OPPORTUNITIES FUND, LP
16 Melanie@MelanieHillLaw.com, KristinSmith23@gmail.com

17 JOHN HINDERAKER on behalf of Counter-Defendant USACM LIQUIDATING TRUST
JHinderaker@LRLaw.com, RCreswell@LRLaw.com

18 JOHN HINDERAKER on behalf of Creditor Committee OFFICIAL COMMITTEE OF
19 UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY
JHinderaker@LRLaw.com, RCreswell@LRLaw.com

20 JOHN HINDERAKER on behalf of Defendant USACM LIQUIDATING TRUST
21 JHinderaker@LRLaw.com, RCreswell@LRLaw.com

22 JOHN HINDERAKER on behalf of Defendant GEOFFREY L. BERMAN
23 JHinderaker@LRLaw.com, RCreswell@LRLaw.com

24 JOHN HINDERAKER on behalf of Interested Party USACM LIQUIDATING TRUST
25 JHinderaker@LRLaw.com, RCreswell@LRLaw.com

26 JOHN HINDERAKER on behalf of Plaintiff USACM LIQUIDATING TRUST
JHinderaker@LRLaw.com, RCreswell@LRLaw.com

27 RICHARD F. HOLLEY on behalf of Creditor HALL FINANCIAL GROUP, LTD
28

1 rholley@nevadafirm.com,
2 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

3 RICHARD F. HOLLEY on behalf of Creditor HALL PHOENIX INWOOD, LTD.

4 rholley@nevadafirm.com,
5 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

6 RICHARD F. HOLLEY on behalf of Creditor LOUISE G. SHERK, TRUSTEE OF THE LOUISE
7 G. SHERK, M.D., EMPLOYEE BENEFIT PLAN TRUST

8 rholley@nevadafirm.com,
9 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

10 RICHARD F. HOLLEY on behalf of Creditor ROBERT DIBIAS, TRUSTEE OF THE LOUISE
11 G. SHERK, M.D., EMPLOYEE BENEFIT PLAN TRUST

12 rholley@nevadafirm.com,
13 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

14 RICHARD F. HOLLEY on behalf of Defendant ASHBY USA, LLC

15 rholley@nevadafirm.com,
16 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

17 RICHARD F. HOLLEY on behalf of Defendant FIESTA DEVELOPMENT, INC.

18 rholley@nevadafirm.com,
19 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

20 RICHARD F. HOLLEY on behalf of Defendant MONACO DIVERSIFIED CORPORATION

21 rholley@nevadafirm.com,
22 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

23 RICHARD F. HOLLEY on behalf of Defendant RANDOM DEVELOPMENTS, LLC

24 rholley@nevadafirm.com,
25 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

26 RICHARD F. HOLLEY on behalf of Defendant ANTHONY MONACO

27 rholley@nevadafirm.com,
28 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

RICHARD F. HOLLEY on behalf of Defendant RICHARD K ASHBY

1 rholley@nevadafirm.com,
2 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

3 RICHARD F. HOLLEY on behalf of Defendant SUSAN K MONACO
4 rholley@nevadafirm.com,
5 sdwkhtecf@gmail.com;oatamoh@nevadafirm.com;oswibies@nevadafirm.com;apestonit@nevada
firm.com;bkecf@nevadafirm.com

6 RANDOLPH L. HOWARD on behalf of Plaintiff ASSET RESOLUTION LLC
7 rhoward@klnevada.com,
ckishi@klnevada.com;bankruptcy@klnevada.com;ckishi@ecf.inforuptcy.com

8 RANDOLPH L. HOWARD on behalf of Plaintiff SILAR ADVISORS, LP
9 rhoward@klnevada.com,
10 ckishi@klnevada.com;bankruptcy@klnevada.com;ckishi@ecf.inforuptcy.com

11 RANDOLPH L. HOWARD on behalf of Plaintiff SILAR SPECIAL OPPORTUNITIES FUND,
LP
12 rhoward@klnevada.com,
13 ckishi@klnevada.com;bankruptcy@klnevada.com;ckishi@ecf.inforuptcy.com

14 DAVID W. HUSTON on behalf of Defendant HOWARD CONNELL
HustonLaw@aol.com

15 DAVID W. HUSTON on behalf of Defendant LORENE CONNELL
16 HustonLaw@aol.com

17 DAVID W. HUSTON on behalf of Interested Party BEVERLY J. STILES TRUST
18 HustonLaw@aol.com

19 DAVID W. HUSTON on behalf of Plaintiff USA COMMERCIAL MORTGAGE COMPANY
20 HustonLaw@aol.com

21 JASON A. IMES on behalf of Debtor USA COMMERCIAL MORTGAGE COMPANY
bkfilings@s-mlaw.com

22 JASON A. IMES on behalf of Defendant USA CAPITAL FIRST TRUST DEED FUND, LLC
23 bkfilings@s-mlaw.com

24 JASON A. IMES on behalf of Defendant USA COMMERCIAL MORTGAGE COMPANY
25 bkfilings@s-mlaw.com

26 JASON A. IMES on behalf of Jnt Admin Debtor USA CAPITAL FIRST TRUST DEED FUND,
LLC
27 bkfilings@s-mlaw.com

28 CHRISTOPHER D JAIME on behalf of Creditor DR. JAMES & TRACY MURPHY
cjaime@mclrenolaw.com, kbernhardt@mclrenolaw.com

1 CHRISTOPHER D JAIME on behalf of Creditor THE GANNAWAY CHARITABLE
2 REMAINDER TRUST DTD 4/15/97
3 cjaime@mclrenolaw.com, kbernhardt@mclrenolaw.com

4 CHRISTOPHER D JAIME on behalf of Creditor PETER M DIGRAZIA
5 cjaime@mclrenolaw.com, kbernhardt@mclrenolaw.com

6 EVAN L. JAMES on behalf of Creditor ROSEBERRY FAMILY LP
7 elj@cjmlv.com

8 EVAN L. JAMES on behalf of Creditor RICHARD G WORTHEN
9 elj@cjmlv.com

10 ANNETTE W JARVIS on behalf of Debtor USA CAPITAL DIVERSIFIED TRUST DEED
11 FUND, LLC
12 jarvis.annette@dorsey.com

13 ANNETTE W JARVIS on behalf of Debtor USA COMMERCIAL MORTGAGE COMPANY
14 jarvis.annette@dorsey.com

15 LARRY C. JOHNS on behalf of Defendant LARRY C JOHNS
16 lcjohns100@embarqmail.com

17 LARRY C. JOHNS on behalf of Defendant MARY L JOHNS
18 lcjohns100@embarqmail.com

19 MATTHEW L. JOHNSON on behalf of Creditor ROY R. VENTURA, JR.
20 annabelle@mjohnsonlaw.com,
21 mjohnson@mjohnsonlaw.com;shari@mjohnsonlaw.com;mcarlyon@mjohnsonlaw.com

22 ERIN E. JONES on behalf of Plaintiff USACM LIQUIDATING TRUST
23 cburrow@diamondmccarthy.com

24 TY E. KEHOE on behalf of Creditor LERIN HILLS, LTD
25 TyKehoeLaw@aol.com

26 TY E. KEHOE on behalf of Creditor LUCIUS BLANCHARD
27 TyKehoeLaw@aol.com

28 ROBERT R. KINAS on behalf of Creditor JAYEM FAMILY LIMITED PARTNERSHIP
rkinas@swlaw.com,
jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
@swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

ROBERT R. KINAS on behalf of Creditor ALEX GASSIO
rkinas@swlaw.com,
jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
@swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

1 ROBERT R. KINAS on behalf of Creditor AYLENE GERINGER

2 rkinas@swlaw.com,
3 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
4 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

5 ROBERT R. KINAS on behalf of Creditor BILL OVCA

6 rkinas@swlaw.com,
7 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
8 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

9 ROBERT R. KINAS on behalf of Creditor ED SCHOONOVER

10 rkinas@swlaw.com,
11 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
12 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

13 ROBERT R. KINAS on behalf of Creditor FERN APTER

14 rkinas@swlaw.com,
15 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
16 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

17 ROBERT R. KINAS on behalf of Creditor MARK ZIPKIN

18 rkinas@swlaw.com,
19 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
20 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

21 ROBERT R. KINAS on behalf of Creditor NORMAN KIVEN

22 rkinas@swlaw.com,
23 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
24 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

25 ROBERT R. KINAS on behalf of Creditor SUE SCHOONOVER

26 rkinas@swlaw.com,
27 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
28 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

ROBERT R. KINAS on behalf of Creditor TERRI NELSON

rkinas@swlaw.com,
jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
@swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

ROBERT R. KINAS on behalf of Debtor USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC

rkinas@swlaw.com,
jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
@swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

ROBERT R. KINAS on behalf of Interested Party ASPEN SQUARE MANAGEMENT, INC.

1 rkinas@swlaw.com,
2 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
3 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

4 ROBERT R. KINAS on behalf of Jnt Admin Debtor USA CAPITAL DIVERSIFIED TRUST
5 DEED FUND, LLC

6 rkinas@swlaw.com,
7 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
8 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

9 ROBERT R. KINAS on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED FUND
10 LLC

11 rkinas@swlaw.com,
12 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
13 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

14 ROBERT R. KINAS on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
15 FUND, LLC

16 rkinas@swlaw.com,
17 jmath@swlaw.com;mfull@swlaw.com;bgriffith@swlaw.com;docket_las@swlaw.com;cgianelloni
18 @swlaw.com;nkanute@swlaw.com;kmiltimore@swlaw.com

19 DEAN T. KIRBY, JR. on behalf of Creditor DEBT ACQUISITION COMPANY OF AMERICA
20 dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

21 DEAN T. KIRBY, JR. on behalf of Cross-Claimant ROCKLIN/REDDING LLC
22 dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

23 DEAN T. KIRBY, JR. on behalf of Defendant EAGLE INVESTMENT PARTNERS, L.P.
24 dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

25 DEAN T. KIRBY, JR. on behalf of Defendant ROCKLIN/REDDING LLC
26 dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

27 DEAN T. KIRBY, JR. on behalf of Defendant VINDRAUGA CORPORATION
28 dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

DEAN T. KIRBY, JR. on behalf of Interested Party DEBT ACQUISITION COMPANY OF
AMERICA
dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

DEAN T. KIRBY, JR. on behalf of Interested Party DEBT ACQUISITION COMPANY OF
AMERICA V, LLC (aw)
dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

DEAN T. KIRBY, JR. on behalf of Intervenor DEBT ACQUISITION COMPANY OF
AMERICA V, LLC
dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

1 DEAN T. KIRBY, JR. on behalf of Plaintiff DEBT ACQUISITION COMPANY OF AMERICA
V, LLC

2 dkirby@kirbymac.com, gsparks@kirbymac.com,jrigg@kirbymac.com

3 BART K. LARSEN on behalf of Interested Party KOLESAR & LEATHAM, CHTD.

4 blarsen@klnevada.com,

5 jierien@klnevada.com;bankruptcy@klnevada.com;mbarnes@klnevada.com;blarsen@ecf.inforupt
cy.com

6 BART K. LARSEN on behalf of Interested Party Randolph L. HOWARD

7 blarsen@klnevada.com,

8 jierien@klnevada.com;bankruptcy@klnevada.com;mbarnes@klnevada.com;blarsen@ecf.inforupt
cy.com

9 BART K. LARSEN on behalf of Plaintiff ASSET RESOLUTION LLC

10 blarsen@klnevada.com,

11 jierien@klnevada.com;bankruptcy@klnevada.com;mbarnes@klnevada.com;blarsen@ecf.inforupt
cy.com

12 BART K. LARSEN on behalf of Plaintiff SILAR ADVISORS, LP

13 blarsen@klnevada.com,

14 jierien@klnevada.com;bankruptcy@klnevada.com;mbarnes@klnevada.com;blarsen@ecf.inforupt
cy.com

15 BART K. LARSEN on behalf of Plaintiff SILAR SPECIAL OPPORTUNITIES FUND, LP

16 blarsen@klnevada.com,

17 jierien@klnevada.com;bankruptcy@klnevada.com;mbarnes@klnevada.com;blarsen@ecf.inforupt
cy.com

18 KENT F. LARSEN on behalf of Creditor WELLS FARGO BANK OF NEVADA AND WELLS
FARGO BANK

19 kfl@slwlaw.com, cjm@slwlaw.com

20 KENT F. LARSEN on behalf of Defendant WELLS FARGO BANK, N.A.

21 kfl@slwlaw.com, cjm@slwlaw.com

22 ZACHARIAH LARSON on behalf of Attorney ZACHARIAH LARSON

23 carey@lzlawnv.com, mzirzow@lzlawnv.com;mary@lzlawnv.com;trish@lzlawnv.com

24 SANDRA W. LAVIGNA on behalf of Creditor UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

25 lavignas@sec.gov

26 SANDRA W. LAVIGNA on behalf of Interested Party U. S. Securities and Exchange
Commission

27 lavignas@sec.gov

28 JOHN J. LAXAGUE on behalf of Defendant JOHN ROBERT MALLIN & MARIE THERESA
MALLIN

1 jlaxague@canecclark.com, adgsecretary@canecclark.com

2 JOHN J. LAXAGUE on behalf of Defendant DANIEL DRUBIN
3 jlaxague@canecclark.com, adgsecretary@canecclark.com

4 JOHN J. LAXAGUE on behalf of Defendant George J. Motto
5 jlaxague@canecclark.com, adgsecretary@canecclark.com

6 JOHN J. LAXAGUE on behalf of Defendant LAURA DRUBIN
7 jlaxague@canecclark.com, adgsecretary@canecclark.com

8 JOHN J. LAXAGUE on behalf of Interested Party BEVERLY J. STILES TRUST
9 jlaxague@canecclark.com, adgsecretary@canecclark.com

10 JOHN J. LAXAGUE on behalf of Interested Party DANIEL DRUBIN
11 jlaxague@canecclark.com, adgsecretary@canecclark.com

12 JOHN J. LAXAGUE on behalf of Interested Party GEORGE J. MOTTO
13 jlaxague@canecclark.com, adgsecretary@canecclark.com

14 JOHN J. LAXAGUE on behalf of Interested Party JOHN ROBERT MALLIN
15 jlaxague@canecclark.com, adgsecretary@canecclark.com

16 JOHN J. LAXAGUE on behalf of Interested Party LAURA DRUBIN
17 jlaxague@canecclark.com, adgsecretary@canecclark.com

18 JOHN J. LAXAGUE on behalf of Interested Party MARIE THERESA MALLIN
19 jlaxague@canecclark.com, adgsecretary@canecclark.com

20 GEORGE C LAZAR on behalf of Cross-Claimant DONALD S. TOMLIN AND DOROTHY R.
21 TOMLIN
22 glazar@foxjohns.com, gclazar@sbcglobal.net

23 GEORGE C LAZAR on behalf of Cross-Claimant TOMLIN TRUST
24 glazar@foxjohns.com, gclazar@sbcglobal.net

25 GEORGE C LAZAR on behalf of Defendant DONALD S. TOMLIN AND DOROTHY R.
26 TOMLIN
27 glazar@foxjohns.com, gclazar@sbcglobal.net

28 GEORGE C LAZAR on behalf of Defendant J.M.K. INVESTMENTS, LTD.
glazar@foxjohns.com, gclazar@sbcglobal.net

GEORGE C LAZAR on behalf of Defendant JOHN M KEILLY
glazar@foxjohns.com, gclazar@sbcglobal.net

NILE LEATHAM on behalf of Creditor JEFFREY L. EDWARDS
nleatham@knevada.com,
ckishi@knevada.com;bankruptcy@knevada.com;nleatham@ecf.inforuptcy.com

1 NILE LEATHAM on behalf of Creditor KATHLEEN M. EDWARDS
2 nleatham@klnevada.com,
3 ckishi@klnevada.com;bankruptcy@klnevada.com;nleatham@ecf.inforuptcy.com

4 NILE LEATHAM on behalf of Interested Party CROSS DEVELOPMENT/MONTGOMERY, LP
5 nleatham@klnevada.com,
6 ckishi@klnevada.com;bankruptcy@klnevada.com;nleatham@ecf.inforuptcy.com

7 NILE LEATHAM on behalf of Interested Party DAYCO FUNDING CORPORATION
8 nleatham@klnevada.com,
9 ckishi@klnevada.com;bankruptcy@klnevada.com;nleatham@ecf.inforuptcy.com

10 NILE LEATHAM on behalf of Interested Party WESTERN UNITED LIFE ASSURANCE CO
11 nleatham@klnevada.com,
12 ckishi@klnevada.com;bankruptcy@klnevada.com;nleatham@ecf.inforuptcy.com

13 NILE LEATHAM on behalf of Interested Party MIKLOS STEUER
14 nleatham@klnevada.com,
15 ckishi@klnevada.com;bankruptcy@klnevada.com;nleatham@ecf.inforuptcy.com

16 ROBERT C. LEPOME on behalf of Creditor JAYEM FAMILY LIMITED PARTNERSHIP
17 smstanton@cox.net

18 ROBERT C. LEPOME on behalf of Creditor HOWARD CONNELL
19 smstanton@cox.net

20 ROBERT C. LEPOME on behalf of Creditor LORENE CONNELL
21 smstanton@cox.net

22 ROBERT C. LEPOME on behalf of Creditor MICHAEL W. GORTZ
23 smstanton@cox.net

24 ROBERT C. LEPOME on behalf of Cross-Claimant MW GORTS & COMPANY
25 smstanton@cox.net

26 ROBERT C. LEPOME on behalf of Cross-Claimant THE WILD WATER LP
27 smstanton@cox.net

28 ROBERT C. LEPOME on behalf of Cross-Claimant CROSBIE B. RONNING
smstanton@cox.net

ROBERT C. LEPOME on behalf of Cross-Claimant EDWIN ARNOLD
smstanton@cox.net

ROBERT C. LEPOME on behalf of Defendant BETTY KOLSTRUP
smstanton@cox.net

ROBERT C. LEPOME on behalf of Defendant CAROL N. HUBBARD

1 smstanton@cox.net

2 ROBERT C. LEPOME on behalf of Defendant CRAIG MEDOFF
3 smstanton@cox.net

4 ROBERT C. LEPOME on behalf of Defendant CROSBIE RONNING
5 smstanton@cox.net

6 ROBERT C. LEPOME on behalf of Defendant GARETH A.R. CRANER
7 smstanton@cox.net

8 ROBERT C. LEPOME on behalf of Defendant GEORGE HUBBARD
9 smstanton@cox.net

10 ROBERT C. LEPOME on behalf of Defendant GRABLE B. RONNING
11 smstanton@cox.net

12 ROBERT C. LEPOME on behalf of Defendant M.W. GORTS AND COMPANY
13 smstanton@cox.net

14 ROBERT C. LEPOME on behalf of Defendant MARGARET A. GRAF
15 smstanton@cox.net

16 ROBERT C. LEPOME on behalf of Defendant MW GORTS & COMPANY
17 smstanton@cox.net

18 ROBERT C. LEPOME on behalf of Defendant PAUL GRAF
19 smstanton@cox.net

20 ROBERT C. LEPOME on behalf of Defendant ROBERT L. OGREN
21 smstanton@cox.net

22 ROBERT C. LEPOME on behalf of Defendant RONALD G. GARDNER
23 smstanton@cox.net

24 ROBERT C. LEPOME on behalf of Defendant THE WILD WATER LP
25 smstanton@cox.net

26 ROBERT C. LEPOME on behalf of Defendant BETTY KOLSTRUP
27 smstanton@cox.net

28 ROBERT C. LEPOME on behalf of Defendant CAROL N. HUBBARD
smstanton@cox.net

29 ROBERT C. LEPOME on behalf of Defendant CROSBIE B. RONNING
smstanton@cox.net

30 ROBERT C. LEPOME on behalf of Defendant EDWIN ARNOLD
smstanton@cox.net

1 ROBERT C. LEPOME on behalf of Defendant FLORENCE ALEXANDER
2 smstanton@cox.net

3 ROBERT C. LEPOME on behalf of Defendant GARETH A.R. CRANER
4 smstanton@cox.net

5 ROBERT C. LEPOME on behalf of Defendant GEORGE W. HUBBARD
6 smstanton@cox.net

7 ROBERT C. LEPOME on behalf of Defendant GRABLE P. RONNING
8 smstanton@cox.net

9 ROBERT C. LEPOME on behalf of Defendant HOWARD CONNELL
10 smstanton@cox.net

11 ROBERT C. LEPOME on behalf of Defendant LORENE CONNELL
12 smstanton@cox.net

13 ROBERT C. LEPOME on behalf of Defendant M. CRAIG MEDOFF
14 smstanton@cox.net

15 ROBERT C. LEPOME on behalf of Defendant MARGARET A. GRAF
16 smstanton@cox.net

17 ROBERT C. LEPOME on behalf of Defendant PAUL D. GRAF
18 smstanton@cox.net

19 ROBERT C. LEPOME on behalf of Defendant ROBERT L. OGREN
20 smstanton@cox.net

21 ROBERT C. LEPOME on behalf of Defendant STANLEY ALEXANDER
22 smstanton@cox.net

23 ROBERT C. LEPOME on behalf of Interested Party FIRST SAVINGS BANK, CUSTODIAN
24 FOR PATRICK DAVIS IRA
25 smstanton@cox.net

26 ROBERT C. LEPOME on behalf of Interested Party GRAHAM FAMILY TRUST DATED
27 10/26/78
28 smstanton@cox.net

ROBERT C. LEPOME on behalf of Interested Party MOLITCH 97 TRUST
smstanton@cox.net

ROBERT C. LEPOME on behalf of Interested Party PHILLIPS FAMILY TRUST DATED
OCTOBER 24, 1989
smstanton@cox.net

1 ROBERT C. LEPOME on behalf of Interested Party PONTAK WONG REVOCABLE TRUST
DATED JAN. 19, 2004
2 smstanton@cox.net

3 ROBERT C. LEPOME on behalf of Interested Party SPECTRUM CAPITAL, LLC
4 smstanton@cox.net

5 ROBERT C. LEPOME on behalf of Interested Party STANLEY ALEXANDER TRUST
6 smstanton@cox.net

7 ROBERT C. LEPOME on behalf of Interested Party THE BOSWORTH 1988 FAMILY TRUST
8 smstanton@cox.net

9 ROBERT C. LEPOME on behalf of Interested Party THE WILD WATER LIMITED
PARTNERSHIP
10 smstanton@cox.net

11 ROBERT C. LEPOME on behalf of Interested Party VOSS FAMILY TRUST
12 smstanton@cox.net

13 ROBERT C. LEPOME on behalf of Interested Party CARMEL WINKLER
14 smstanton@cox.net

15 ROBERT C. LEPOME on behalf of Interested Party CELIA ALLEN GRAHAM
16 smstanton@cox.net

17 ROBERT C. LEPOME on behalf of Interested Party CLAUDIA VOSS
18 smstanton@cox.net

19 ROBERT C. LEPOME on behalf of Interested Party CROSBIE B. RONNING
20 smstanton@cox.net

21 ROBERT C. LEPOME on behalf of Interested Party DARRELL M. WONG
22 smstanton@cox.net

23 ROBERT C. LEPOME on behalf of Interested Party EDWIN ARNOLD
24 smstanton@cox.net

25 ROBERT C. LEPOME on behalf of Interested Party FLORENCE ALEXANDER
26 smstanton@cox.net

27 ROBERT C. LEPOME on behalf of Interested Party FRANCES PHILLIPS
28 smstanton@cox.net

ROBERT C. LEPOME on behalf of Interested Party GRABLE L RONNING
smstanton@cox.net

ROBERT C. LEPOME on behalf of Interested Party JAMES CIELEN
smstanton@cox.net

1 ROBERT C. LEPOME on behalf of Interested Party JAMES DICKINSON
2 smstanton@cox.net

3 ROBERT C. LEPOME on behalf of Interested Party JAMES R CIELEN IRA
4 smstanton@cox.net

5 ROBERT C. LEPOME on behalf of Interested Party MARGARET GRAF
6 smstanton@cox.net

7 ROBERT C. LEPOME on behalf of Interested Party MARK R CAMPBELL
8 smstanton@cox.net

9 ROBERT C. LEPOME on behalf of Interested Party PATRICIA PONTAK
10 smstanton@cox.net

11 ROBERT C. LEPOME on behalf of Interested Party PAUL GRAF
12 smstanton@cox.net

13 ROBERT C. LEPOME on behalf of Interested Party RICHARD WILLIAMS
14 smstanton@cox.net

15 ROBERT C. LEPOME on behalf of Interested Party ROBERT G TEETER
16 smstanton@cox.net

17 ROBERT C. LEPOME on behalf of Interested Party ROBERT L. OGREN
18 smstanton@cox.net

19 ROBERT C. LEPOME on behalf of Interested Party RUDOLF WINKLER
20 smstanton@cox.net

21 ROBERT C. LEPOME on behalf of Interested Party STANLEY ALEXANDER
22 smstanton@cox.net

23 ROBERT C. LEPOME on behalf of Interested Party STEPHEN PHILLIPS
24 smstanton@cox.net

25 STEPHEN T LODEN on behalf of Attorney DIAMOND MCCARTHY LLP
26 sloden@diamondmccarthy.com,
cburrow@diamondmccarthy.com;bgarry@diamondmccarthy.com

27 STEPHEN T LODEN on behalf of Defendant J.M.K. INVESTMENTS, LTD.
28 sloden@diamondmccarthy.com,
cburrow@diamondmccarthy.com;bgarry@diamondmccarthy.com

STEPHEN T LODEN on behalf of Interested Party USACM LIQUIDATING TRUST
sloden@diamondmccarthy.com,
cburrow@diamondmccarthy.com;bgarry@diamondmccarthy.com

1 STEPHEN T LODEN on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
FUND LLC

2 sloden@diamondmccarthy.com,
3 cburrow@diamondmccarthy.com;bgarry@diamondmccarthy.com

4 STEPHEN T LODEN on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC

5 sloden@diamondmccarthy.com,
6 cburrow@diamondmccarthy.com;bgarry@diamondmccarthy.com

7 STEPHEN T LODEN on behalf of Plaintiff USACM LIQUIDATING TRUST

8 sloden@diamondmccarthy.com,
9 cburrow@diamondmccarthy.com;bgarry@diamondmccarthy.com

10 TYSON M. LOMAZOW on behalf of Interested Party COMPASS PARTNERS LLC
tlomazow@milbank.com

11 ANNE M. LORADITCH on behalf of Counter-Defendant USA CAPITAL DIVERSIFIED
TRUST DEED FUND, LLC

12 aloraditch@bachlawfirm.com, sandra.herbstreit@bachlawfirm.com;awatkins@bachlawfirm.com

13 ANNE M. LORADITCH on behalf of Interested Party OFFICIAL COMMITTEE OF EQUITY
SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC

14 aloraditch@bachlawfirm.com, sandra.herbstreit@bachlawfirm.com;awatkins@bachlawfirm.com

15 ANNE M. LORADITCH on behalf of Interested Party OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY

16 aloraditch@bachlawfirm.com, sandra.herbstreit@bachlawfirm.com;awatkins@bachlawfirm.com

17 ANNE M. LORADITCH on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC

18 aloraditch@bachlawfirm.com, sandra.herbstreit@bachlawfirm.com;awatkins@bachlawfirm.com

19 TIMOTHY A LUKAS on behalf of Counter-Claimant LOS VALLES LAND & GOLF, LLC
ecflukast@hollandhart.com

20 TIMOTHY A LUKAS on behalf of Defendant LOS VALLES LAND & GOLF, LLC
ecflukast@hollandhart.com

21 TIMOTHY A LUKAS on behalf of Defendant DAN S. PALMER, Jr.
ecflukast@hollandhart.com

22 ERIC D. MADDEN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY

23 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

24 ERIC D. MADDEN on behalf of Interested Party USACM LIQUIDATING TRUST

25 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

1 ERIC D. MADDEN on behalf of Jnt Admin Debtor USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC

2 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

3 ERIC D. MADDEN on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED FUND
4 LLC

5 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

6 ERIC D. MADDEN on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED FUND,
7 LLC

8 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

9 ERIC D. MADDEN on behalf of Plaintiff USA CAPITAL FIRST TRUST DEED FUND, LLC

10 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

11 ERIC D. MADDEN on behalf of Plaintiff USACM LIQUIDATING TRUST

12 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

13 PATRICIA A. MARR on behalf of Creditor LAW OFFICES OF JAMES J. LEE

14 lvlaw03@yahoo.com

15 JAMES C. MCCARROLL on behalf of Interested Party SPCP GROUP, LLC

16 jmccarroll@reedsmith.com

17 DANIEL J MCCARTHY on behalf of Creditor Royal Landholdings, LLC

18 dmccarthy@hillfarrer.com

19 REGINA M. MCCONNELL on behalf of Creditor 401(K) PROFIT SHARING PLAN, LYNN
20 KANTOR

21 regina@familylawcenters.com

22 REGINA M. MCCONNELL on behalf of Creditor GARY L. KANTON, M.D., TRUSTEE
23 KANTOR NEPHROLOGY CONSULTANTS, LTD.

24 regina@familylawcenters.com

25 REGINA M. MCCONNELL on behalf of Creditor CARMINE VENTO

26 regina@familylawcenters.com

27 REGINA M. MCCONNELL on behalf of Creditor G KANTOR

28 regina@familylawcenters.com

REGINA M. MCCONNELL on behalf of Creditor GARY KANTON

regina@familylawcenters.com

REGINA M. MCCONNELL on behalf of Creditor GARY L. KANTOR

regina@familylawcenters.com

REGINA M. MCCONNELL on behalf of Creditor LYNN KANTOR, IRA

regina@familylawcenters.com

1 REGINA M. MCCONNELL on behalf of Interested Party DESERT CAPITAL REIT, INC.
2 regina@familylawcenters.com

3 WILLIAM L. MCGIMSEY on behalf of Defendant MARGARET B. MCGIMSEY TRUST
4 lawoffices601@lvcoxmail.com

5 WILLIAM L. MCGIMSEY on behalf of Defendant BRUCE MCGIMSEY
6 lawoffices601@lvcoxmail.com

7 WILLIAM L. MCGIMSEY on behalf of Defendant JERRY MCGIMSEY
8 lawoffices601@lvcoxmail.com

9 WILLIAM L. MCGIMSEY on behalf of Defendant JOHNNY CLARK
10 lawoffices601@lvcoxmail.com

11 WILLIAM L. MCGIMSEY on behalf of Defendant SHARON MCGIMSEY
12 lawoffices601@lvcoxmail.com

13 WILLIAM L. MCGIMSEY on behalf of Interested Party MARGARET B. MCGIMSEY TRUST
14 lawoffices601@lvcoxmail.com

15 WILLIAM L. MCGIMSEY on behalf of Interested Party BRUCE MCGIMSEY
16 lawoffices601@lvcoxmail.com

17 WILLIAM L. MCGIMSEY on behalf of Interested Party JERRY MCGIMSEY
18 lawoffices601@lvcoxmail.com

19 WILLIAM L. MCGIMSEY on behalf of Interested Party JOHNNY CLARK
20 lawoffices601@lvcoxmail.com

21 WILLIAM L. MCGIMSEY on behalf of Interested Party SHARON MCGIMSEY
22 lawoffices601@lvcoxmail.com

23 RICHARD MCKNIGHT on behalf of Creditor RICHARD MCKNIGHT
24 rmcknight@lawlasvegas.com, gkopang@lawlasvegas.com;cburke@lawlasvegas.com

25 RICHARD MCKNIGHT on behalf of Defendant BOB STUPAK
26 rmcknight@lawlasvegas.com, gkopang@lawlasvegas.com;cburke@lawlasvegas.com

27 JEANETTE E. MCPHERSON on behalf of Attorney RAY, QUINNEY & NEBEKER P.C.
28 bkfilings@s-mlaw.com

JEANETTE E. MCPHERSON on behalf of Attorney SCHWARTZER & MCPHERSON LAW
FIRM
bkfilings@s-mlaw.com

JEANETTE E. MCPHERSON on behalf of Debtor USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC

1 bkfilings@s-mlaw.com

2 JEANETTE E. MCPHERSON on behalf of Debtor USA CAPITAL FIRST TRUST DEED
3 FUND, LLC
4 bkfilings@s-mlaw.com

5 JEANETTE E. MCPHERSON on behalf of Debtor USA CAPITAL REALTY ADVISORS, LLC
6 bkfilings@s-mlaw.com

7 JEANETTE E. MCPHERSON on behalf of Debtor USA COMMERCIAL MORTGAGE
8 COMPANY
9 bkfilings@s-mlaw.com

10 JEANETTE E. MCPHERSON on behalf of Debtor USA SECURITIES, LLC
11 bkfilings@s-mlaw.com

12 JEANETTE E. MCPHERSON on behalf of Defendant USA CAPITAL FIRST TRUST DEED
13 FUND, LLC
14 bkfilings@s-mlaw.com

15 JEANETTE E. MCPHERSON on behalf of Defendant USA COMMERCIAL MORTGAGE
16 COMPANY
17 bkfilings@s-mlaw.com

18 JEANETTE E. MCPHERSON on behalf of Jnt Admin Debtor USA CAPITAL DIVERSIFIED
19 TRUST DEED FUND, LLC
20 bkfilings@s-mlaw.com

21 JEANETTE E. MCPHERSON on behalf of Jnt Admin Debtor USA CAPITAL FIRST TRUST
22 DEED FUND, LLC
23 bkfilings@s-mlaw.com

24 JEANETTE E. MCPHERSON on behalf of Jnt Admin Debtor USA CAPITAL REALTY
25 ADVISORS, LLC
26 bkfilings@s-mlaw.com

27 JEANETTE E. MCPHERSON on behalf of Jnt Admin Debtor USA SECURITIES, LLC
28 bkfilings@s-mlaw.com

29 JEANETTE E. MCPHERSON on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST
30 DEED FUND, LLC
31 bkfilings@s-mlaw.com

32 JEANETTE E. MCPHERSON on behalf of Plaintiff USA COMMERCIAL MORTGAGE
33 COMPANY
34 bkfilings@s-mlaw.com

35 BRECK E. MILDE on behalf of Creditor ALBERT LEE
36 bmilde@terra-law.com

1 SHAWN W MILLER on behalf of Interested Party ESTATE OF DONALD E. GOODSELL
2 smiller@millerlawgroupnv.com,
3 randerson@millerlawgroupnv.com;mletourneau@millerlawgroupnv.com;efile@millerlawgroupnv
4 .com

5 DAVID MINCIN on behalf of Creditor RICHARD MCKNIGHT
6 dmincin@lawlasvegas.com, cburke@lawlasvegas.com;gkopang@lawlasvegas.com

7 ROYI MOAS on behalf of Debtor PLATINUM FINANCIAL TRUST, LLC
8 rmoas@wrslawyers.com, mhannon@wrslawyers.com

9 JOHN F MURTHA on behalf of Creditor GARY MICHELSEN
10 jmurtha@woodburnandwedge.com, dlercari@woodburnandwedge.com

11 JOHN F MURTHA on behalf of Creditor JOHN MICHELSEN
12 jmurtha@woodburnandwedge.com, dlercari@woodburnandwedge.com

13 JOHN F MURTHA on behalf of Stockholder JOHN E. MICHELSEN FAMILY TRUST DTD.
14 11/75
15 jmurtha@woodburnandwedge.com, dlercari@woodburnandwedge.com

16 JOHN F MURTHA on behalf of Stockholder GARY MICHELSEN
17 jmurtha@woodburnandwedge.com, dlercari@woodburnandwedge.com

18 PETER D. NAVARRO on behalf of Interested Party KOLESAR & LEATHAM, CHTD.
19 peter.navarro@jacksonlewis.com

20 PETER D. NAVARRO on behalf of Interested Party Randolph L. HOWARD
21 peter.navarro@jacksonlewis.com

22 PETER D. NAVARRO on behalf of Plaintiff ASSET RESOLUTION LLC
23 peter.navarro@jacksonlewis.com

24 PETER D. NAVARRO on behalf of Plaintiff SILAR ADVISORS, LP
25 peter.navarro@jacksonlewis.com

26 PETER D. NAVARRO on behalf of Plaintiff SILAR SPECIAL OPPORTUNITIES FUND, LP
27 peter.navarro@jacksonlewis.com

28 ERVEN T. NELSON on behalf of Attorney BOLICK & BOYER
enelson@djplaw.com, glacascia@djplaw.com

ERVEN T. NELSON on behalf of Creditor ERVEN J NELSON AND FRANKIE J NELSON
TRUST
enelson@djplaw.com, glacascia@djplaw.com

ERVEN T. NELSON on behalf of Creditor ERVEN J NELSON LTD PROFIT SHARING PLAN
enelson@djplaw.com, glacascia@djplaw.com

1 ERVEN T. NELSON on behalf of Creditor WORLD LINKS GROUP LLC
2 enelson@djplaw.com, glacascia@djplaw.com

3 ERVEN T. NELSON on behalf of Creditor ZAWACKI LLC (COLLECTIVELY "MANTAS
4 GROUP")
5 enelson@djplaw.com, glacascia@djplaw.com

6 ERVEN T. NELSON on behalf of Creditor ELLYSON GALLOWAY
7 enelson@djplaw.com, glacascia@djplaw.com

8 ERVEN T. NELSON on behalf of Creditor LEO G MANTAS
9 enelson@djplaw.com, glacascia@djplaw.com

10 VICTORIA L NELSON on behalf of Creditor HOMES FOR AMERICA HOLDINGS, INC.
11 vnelson@nelsonhoumand.com,
12 jhoumand@nelsonhoumand.com;cjorvig@nelsonhoumand.com;nalcantara@nelsonhoumand.com

13 VICTORIA L NELSON on behalf of Defendant HFAH CLEAR LAKE, LLC
14 vnelson@nelsonhoumand.com,
15 jhoumand@nelsonhoumand.com;cjorvig@nelsonhoumand.com;nalcantara@nelsonhoumand.com

16 VICTORIA L NELSON on behalf of Defendant HOMES FOR AMERICA HOLDINGS, INC.
17 vnelson@nelsonhoumand.com,
18 jhoumand@nelsonhoumand.com;cjorvig@nelsonhoumand.com;nalcantara@nelsonhoumand.com

19 VICTORIA L NELSON on behalf of Defendant MEDITERRANEE-HFAH, LLC
20 vnelson@nelsonhoumand.com,
21 jhoumand@nelsonhoumand.com;cjorvig@nelsonhoumand.com;nalcantara@nelsonhoumand.com

22 VICTORIA L NELSON on behalf of Defendant ONE POINT STREET, INC.
23 vnelson@nelsonhoumand.com,
24 jhoumand@nelsonhoumand.com;cjorvig@nelsonhoumand.com;nalcantara@nelsonhoumand.com

25 CRAIG S. NEWMAN on behalf of Defendant AURORA INVESTMENTS LP
26 cnewman@djplaw.com, dmaul@djplaw.com

27 JOHN F. O'REILLY on behalf of Creditor MICHAEL PETERSEN
28 ,
efile@oreillylawgroup.com;tor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

JOHN F. O'REILLY on behalf of Defendant STANLEY E FULTON
jor@oreillylawgroup.com,
efile@oreillylawgroup.com;tor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

1 TIMOTHY R. O'REILLY on behalf of Creditor MICHAEL PETERSEN

2 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
3 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

4 TIMOTHY R. O'REILLY on behalf of Defendant KATHRYN L. PETERSEN LIVING TRUST

5 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
6 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

7 TIMOTHY R. O'REILLY on behalf of Defendant KLP TRUST DTD 7/15/99

8 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
9 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

10 TIMOTHY R. O'REILLY on behalf of Defendant MARY PETERSEN FAMILY TRUST DTD
8/12/98

11 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
12 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

13 TIMOTHY R. O'REILLY on behalf of Defendant MICHAEL D PETERSEN FAMILY TRUST
DTD 8/12/98

14 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
15 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

16 TIMOTHY R. O'REILLY on behalf of Defendant SPECIALIZED DEVELOPMENT TAHOE,
17 LLC

18 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
19 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

20 TIMOTHY R. O'REILLY on behalf of Defendant KATHRYN L PETERSEN

21 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
22 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

23 TIMOTHY R. O'REILLY on behalf of Defendant MARY PETERSEN

24 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
25 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

26 TIMOTHY R. O'REILLY on behalf of Defendant MICHAEL D PETERSEN

27 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
28 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

TIMOTHY R. O'REILLY on behalf of Defendant STANLEY E FULTON

1 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
2 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

3 TIMOTHY R. O'REILLY on behalf of Interested Party STANLEY E FULTON
4 efile@oreillylawgroup.com;jor@oreillylawgroup.com;mkn@oreillylawgroup.com;jcg@oreillylaw
5 group.com;lc@oreillylawgroup.com;fr@oreillylawgroup.com;mg@oreillylawgroup.com;dm@ore
illylawgroup.com

6 DONNA M. OSBORN on behalf of Creditor HARVEY FAMILY TRUST DATE APRIL 13,
7 1987
donnamosborn@live.com

8 ANDREW M. PARLEN on behalf of Attorney STUTMAN, TREISTER & GLATT
9 PROFESSIONAL CORPORATION
10 aparlen@omm.com

11 ANDREW M. PARLEN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
12 EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC
aparlen@omm.com

13 ANDREW M. PARLEN on behalf of Defendant USA CAPITAL FIRST TRUST DEED
14 aparlen@omm.com

15 DONALD T. POLEDNAK on behalf of Creditor COMMUNITY BANK OF NEVADA
don@sylvesterpolednak.com

16 DONALD T. POLEDNAK on behalf of Creditor PHILP BENJAMIN RBR PARTNERSHIP
17 don@sylvesterpolednak.com

18 LISA A. RASMUSSEN on behalf of Creditor CAROL MORTENSEN
19 lisa@lasmussenlaw.com,
20 secretary@lasmussenlaw.com;tami@lasmussenlaw.com;jen@lasmussenlaw.com

21 LISA A. RASMUSSEN on behalf of Respondent MARGARITA ANNEX SPE, LLC
22 lisa@lasmussenlaw.com,
secretary@lasmussenlaw.com;tami@lasmussenlaw.com;jen@lasmussenlaw.com

23 PAUL C RAY on behalf of Interested Party JOHN PETER LEE, LTD.
24 PaulCRayLaw@gmail.com, PaulCRayLaw@aol.com

25 PAUL C RAY on behalf of Interested Party JAMIE WISE
PaulCRayLaw@gmail.com, PaulCRayLaw@aol.com

26 THOMAS RICE on behalf of Interested Party FORD ELSAESSER
27 aseifert@coxsmith.com

28 GORDON C. RICHARDS on behalf of Creditor CHRISTINE L. SPINDEL
GCR@ClarkandRichards.com, ALM@ClarkandRichards.com

1 GORDON C. RICHARDS on behalf of Creditor MANFRED S. SPINDEL
2 GCR@ClarkandRichards.com, ALM@ClarkandRichards.com

3 CHRISTINE A ROBERTS on behalf of Creditor HIGHLAND CRUSADER FUND, LTD.
4 Croberts@furnierlaw.com,
5 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

6 CHRISTINE A ROBERTS on behalf of Creditor PAM CAPITAL FUNDING, L.P.
7 Croberts@furnierlaw.com,
8 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

9 CHRISTINE A ROBERTS on behalf of Creditor PAMCO CAYMAN, LTD.
10 Croberts@furnierlaw.com,
11 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

12 CHRISTINE A ROBERTS on behalf of Creditor PCMG TRADING PARTNERS XXII, L.P.
13 Croberts@furnierlaw.com,
14 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

15 CHRISTINE A ROBERTS on behalf of Creditor PROSPECT HIGH INCOME FUND
16 Croberts@furnierlaw.com,
17 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

18 CHRISTINE A ROBERTS on behalf of Interested Party INVESTORS COMMERCIAL
19 CAPITAL, LLC
20 Croberts@furnierlaw.com,
21 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

22 CHRISTINE A ROBERTS on behalf of Trustee WILLIAM A LEONARD
23 Croberts@furnierlaw.com,
24 bkstaff@sullivanhill.com;kdecuypere@furnierlaw.com;secretary3311@gmail.com

25 JACOB J ROBERTS on behalf of Plaintiff USACM LIQUIDATING TRUST
26 jroberts@diamondmccarthy.com, cburrow@diamondmccarthy.com

27 STACY M. ROCHELEAU on behalf of Defendant NATIONAL REAL ESTATE HOLDINGS,
28 INC.
29 stacy@rocheleaulaw.com, karen@rightlawyers.com

30 STACY M. ROCHELEAU on behalf of Interested Party NATIONAL REAL ESTATE
31 HOLDINGS, INC.
32 stacy@rocheleaulaw.com, karen@rightlawyers.com

33 MARVIN C. RUTH on behalf of Interested Party USACM LIQUIDATING TRUST
34 MRuth@LRLaw.com, dgarrett@LRRLaw.com

35 MARVIN C. RUTH on behalf of Plaintiff USACM LIQUIDATING TRUST
36 MRuth@LRLaw.com, dgarrett@LRRLaw.com

1 GREGORY M SALVATO on behalf of Attorney GREGORY M. SALVATO
2 Calendar@Salvatolawoffices.com, gsalvato@salvatolawoffices.com

3 GREGORY M SALVATO on behalf of Defendant FERTITTA ENTERPRISES, INC.
4 Calendar@Salvatolawoffices.com, gsalvato@salvatolawoffices.com

5 LENARD E. SCHWARTZER on behalf of Attorney SCHWARTZER & MCPHERSON LAW
6 FIRM
bkfilings@s-mlaw.com

7 LENARD E. SCHWARTZER on behalf of Attorney STEVEN T. WATERMAN
8 bkfilings@s-mlaw.com

9 LENARD E. SCHWARTZER on behalf of Counter-Claimant USA COMMERCIAL
10 MORTGAGE COMPANY
bkfilings@s-mlaw.com

11 LENARD E. SCHWARTZER on behalf of Debtor USA CAPITAL DIVERSIFIED TRUST
12 DEED FUND, LLC
bkfilings@s-mlaw.com

13 LENARD E. SCHWARTZER on behalf of Debtor USA CAPITAL FIRST TRUST DEED FUND,
14 LLC
bkfilings@s-mlaw.com

15 LENARD E. SCHWARTZER on behalf of Debtor USA CAPITAL REALTY ADVISORS, LLC
16 bkfilings@s-mlaw.com

17 LENARD E. SCHWARTZER on behalf of Debtor USA COMMERCIAL MORTGAGE
18 COMPANY
19 bkfilings@s-mlaw.com

20 LENARD E. SCHWARTZER on behalf of Debtor USA SECURITIES, LLC
21 bkfilings@s-mlaw.com

22 LENARD E. SCHWARTZER on behalf of Defendant STANDARD PROPERTY
23 DEVELOPMENT, LLC
bkfilings@s-mlaw.com

24 LENARD E. SCHWARTZER on behalf of Defendant USA CAPITAL FIRST TRUST DEED
25 bkfilings@s-mlaw.com

26 LENARD E. SCHWARTZER on behalf of Defendant USA CAPITAL FIRST TRUST DEED
27 FUND, LLC
bkfilings@s-mlaw.com

28 LENARD E. SCHWARTZER on behalf of Defendant USA COMMERCIAL MORTGAGE
COMPANY

1 bkfilings@s-mlaw.com

2 LENARD E. SCHWARTZER on behalf of Jnt Admin Debtor USA CAPITAL DIVERSIFIED
3 TRUST DEED FUND, LLC
4 bkfilings@s-mlaw.com

5 LENARD E. SCHWARTZER on behalf of Jnt Admin Debtor USA CAPITAL FIRST TRUST
6 DEED FUND, LLC
7 bkfilings@s-mlaw.com

8 LENARD E. SCHWARTZER on behalf of Jnt Admin Debtor USA CAPITAL REALTY
9 ADVISORS, LLC
10 bkfilings@s-mlaw.com

11 LENARD E. SCHWARTZER on behalf of Jnt Admin Debtor USA SECURITIES, LLC
12 bkfilings@s-mlaw.com

13 LENARD E. SCHWARTZER on behalf of Plaintiff USA COMMERCIAL MORTGAGE
14 COMPANY
15 bkfilings@s-mlaw.com

16 MICHAEL J. SCHWARTZER on behalf of Creditor KUMMER KAEMPFER BONNER
17 RENSHAW & FERRARIO
18 jsmyth@kcnvlaw.com, jsmyth@kcnvlaw.com

19 BRIAN D. SHAPIRO on behalf of Interested Party MICHAEL W. CARMEL
20 brian@brianshapirolaw.com,
21 connie@brianshapirolaw.com;ecf@brianshapirolaw.com;ana@brianshapirolaw.com

22 JAMES PATRICK SHEA on behalf of Creditor Committee OFFICIAL COMMITTEE OF
23 EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC
24 jshea@armstrongteasdale.com,
25 bjohansson@armstrongteasdale.com;rfortin@armstrongteasdale.com

26 SHLOMO S. SHERMAN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
27 EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC
28 ssherman@klnevada.com,
bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
cf.inforuptcy.com

SHLOMO S. SHERMAN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
EQUITY SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC
ssherman@klnevada.com,
bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
cf.inforuptcy.com

SHLOMO S. SHERMAN on behalf of Creditor Committee OFFICIAL COMMITTEE OF
EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY

1 ssherman@klnevada.com,
2 bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
3 cf.inforuptcy.com

4 SHLOMO S. SHERMAN on behalf of Cross-Claimant WELLS FARGO BANK, N.A.
5 ssherman@klnevada.com,
6 bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
7 cf.inforuptcy.com

8 SHLOMO S. SHERMAN on behalf of Defendant OFFICIAL COMMITTEE OF EQUITY
9 SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC, the Authorized
10 Representative of USA CAPITAL FIRST TRUST DEED FUND, LLC in Adversary Proceeding
11 No. 07-01150
12 ssherman@klnevada.com,
13 bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
14 cf.inforuptcy.com

15 SHLOMO S. SHERMAN on behalf of Defendant USA CAPITAL FIRST TRUST DEED FUND,
16 LLC
17 ssherman@klnevada.com,
18 bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
19 cf.inforuptcy.com

20 SHLOMO S. SHERMAN on behalf of Defendant WELLS FARGO BANK, N.A.
21 ssherman@klnevada.com,
22 bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
23 cf.inforuptcy.com

24 SHLOMO S. SHERMAN on behalf of Jnt Admin Debtor USA CAPITAL FIRST TRUST DEED
25 FUND, LLC
26 ssherman@klnevada.com,
27 bankruptcy@klnevada.com;mbarnes@klnevada.com;ssherman@ecf.inforuptcy.com;ssherman@e
28 cf.inforuptcy.com

AMBRISH S. SIDHU on behalf of Creditor AMTRUST BANK
ecfnotices@sidhulawfirm.com

AMBRISH S. SIDHU on behalf of Creditor TEMECULA PUBLIC FINANCE AUTHORITY
ecfnotices@sidhulawfirm.com

AMBRISH S. SIDHU on behalf of Cross Defendant JAMES FEENEY
ecfnotices@sidhulawfirm.com

AMBRISH S. SIDHU on behalf of Defendant FERTITTA ENTERPRISES, INC.
ecfnotices@sidhulawfirm.com

AMBRISH S. SIDHU on behalf of Defendant JAMES FEENEY
ecfnotices@sidhulawfirm.com

1 MICHAEL H. SINGER on behalf of Defendant FIRST SAVINGS BANK FBO VALLIERA
MCGUIRE

2 dhutchings@mhsingerlaw.com

3 JEFFREY SLOANE on behalf of Creditor 401(K) PROFIT SHARING PLAN, LYNN KANTOR

4 barbara@jsloanelaw.com

5 JEFFREY SLOANE on behalf of Creditor CITICORP VENDER FINANCE, INC. fka EAB
LEASING CORP.

6 barbara@jsloanelaw.com

7 JEFFREY SLOANE on behalf of Creditor GARY L. KANTON, M.D., TRUSTEE KANTOR
NEPHROLOGY CONSULTANTS, LTD.

8 barbara@jsloanelaw.com

9 JEFFREY SLOANE on behalf of Creditor LYNN KANTOR, IRA

10 barbara@jsloanelaw.com

11 JEFFREY SLOANE on behalf of Creditor TRUSTEE OF KANTOR NEPHROLOGY
CONSULTANTS, LTD

12 barbara@jsloanelaw.com

13 JEFFREY SLOANE on behalf of Creditor G KANTOR

14 barbara@jsloanelaw.com

15 JEFFREY SLOANE on behalf of Creditor GARY KANTON

16 barbara@jsloanelaw.com

17 JEFFREY SLOANE on behalf of Creditor GARY L. KANTOR

18 barbara@jsloanelaw.com

19 JEFFREY SLOANE on behalf of Creditor LYNN KANTOR, IRA

20 barbara@jsloanelaw.com

21 ALAN R SMITH on behalf of Creditor LENDERS PROTECTION GROUP

22 mail@asmithlaw.com

23 ALAN R SMITH on behalf of Creditor DONNA CANGELOSI

24 mail@asmithlaw.com

25 ALAN R SMITH on behalf of Interested Party EVELYN ASHER SHEERIN, TRUSTEE FOR
THE BENEFIT OF THE CHRIS H. SHEERIN (DECEASED) AND EVELYN ASHER
SHEERIN 1984 TRUST DATED 5/31/84

26 mail@asmithlaw.com

27 ALAN R SMITH on behalf of Interested Party EVELYN ASHER SHERRIN, TRUSTEE OF
THE CHRIS AND EVELYN SHERRIN 1990 TRUST, AND SHERRINS INC.

28 mail@asmithlaw.com

1 ALAN R SMITH on behalf of Plaintiff 3685 SAN FERNANDO LENDERS, LLC
mail@asmithlaw.com

2
3 ALAN R SMITH on behalf of Plaintiff 5055 COLLWOOD LENDERS, LLC
mail@asmithlaw.com

4 ALAN R SMITH on behalf of Plaintiff 60TH STREET VENTURES LENDERS, LLC
5 mail@asmithlaw.com

6 ALAN R SMITH on behalf of Plaintiff 6425 GESS LENDERS, LLC
7 mail@asmithlaw.com

8 ALAN R SMITH on behalf of Plaintiff AMESBURY HATTERS PT LENDERS, LLC
9 mail@asmithlaw.com

10 ALAN R SMITH on behalf of Plaintiff ANCHOR B LENDERS, LLC
mail@asmithlaw.com

11 ALAN R SMITH on behalf of Plaintiff BAR-USA LENDERS, LLC
12 mail@asmithlaw.com

13 ALAN R SMITH on behalf of Plaintiff BAY POMPAÑO LENDERS, LLC
14 mail@asmithlaw.com

15 ALAN R SMITH on behalf of Plaintiff BINFORD LENDERS, LLC
mail@asmithlaw.com

16 ALAN R SMITH on behalf of Plaintiff BROOKMERE LENDERS, LLC
17 mail@asmithlaw.com

18 ALAN R SMITH on behalf of Plaintiff BUNDY CANYON 2.5 LENDERS, LLC
19 mail@asmithlaw.com

20 ALAN R SMITH on behalf of Plaintiff BUNDY CANYON 5.0 LENDERS, LLC
21 mail@asmithlaw.com

22 ALAN R SMITH on behalf of Plaintiff BUNDY CANYON 5.725 LENDERS, LLC
mail@asmithlaw.com

23 ALAN R SMITH on behalf of Plaintiff BUNDY CANYON 7.5 LENDERS, LLC
24 mail@asmithlaw.com

25 ALAN R SMITH on behalf of Plaintiff CABERNET LENDERS, LLC
26 mail@asmithlaw.com

27 ALAN R SMITH on behalf of Plaintiff CASTAIC II LENDERS, LLC
mail@asmithlaw.com

28 ALAN R SMITH on behalf of Plaintiff CASTAIC III LENDERS, LLC

1 mail@asmithlaw.com

2 ALAN R SMITH on behalf of Plaintiff CHARLEVOIX LENDERS, LLC
3 mail@asmithlaw.com

4 ALAN R SMITH on behalf of Plaintiff CLEAR CREEK PLANTATION LENDERS, LLC
5 mail@asmithlaw.com

6 ALAN R SMITH on behalf of Plaintiff COM VEST LENDERS, LLC
7 mail@asmithlaw.com

8 ALAN R SMITH on behalf of Plaintiff COPPER SAGE II LENDERS, LLC
9 mail@asmithlaw.com

10 ALAN R SMITH on behalf of Plaintiff CORNMAN TOLTEC LENDERS, LLC
11 mail@asmithlaw.com

12 ALAN R SMITH on behalf of Plaintiff DEVALLE LIVINGSTON LENDERS, LLC
13 mail@asmithlaw.com

14 ALAN R SMITH on behalf of Plaintiff EAGLE MEADOWS LENDERS, LLC
15 mail@asmithlaw.com

16 ALAN R SMITH on behalf of Plaintiff FIESTA MURIETTA LENDERS, LLC
17 mail@asmithlaw.com

18 ALAN R SMITH on behalf of Plaintiff FIESTA USA STONERIDGE LENDERS, LLC
19 mail@asmithlaw.com

20 ALAN R SMITH on behalf of Plaintiff FOXHILLS 216 LENDERS, LLC
21 mail@asmithlaw.com

22 ALAN R SMITH on behalf of Plaintiff GRAMERCY COURT LENDERS, LLC
23 mail@asmithlaw.com

24 ALAN R SMITH on behalf of Plaintiff HAVOR GEORGETOWN LENDERS, LLC
25 mail@asmithlaw.com

26 ALAN R SMITH on behalf of Plaintiff HESPERIA LENDERS, LLC
27 mail@asmithlaw.com

28 ALAN R SMITH on behalf of Plaintiff HFA CLEARLAKE I LENDERS, LLC
mail@asmithlaw.com

ALAN R SMITH on behalf of Plaintiff HFA CLEARLAKE II LENDERS, LLC
mail@asmithlaw.com

ALAN R SMITH on behalf of Plaintiff HUNTSVILLE LENDERS, LLC
mail@asmithlaw.com

1 ALAN R SMITH on behalf of Plaintiff LA HACIDENDA LENDERS, LLC
2 mail@asmithlaw.com

3 ALAN R SMITH on behalf of Plaintiff LAKE HELEN PARTNERS LENDERS, LLC
4 mail@asmithlaw.com

5 ALAN R SMITH on behalf of Plaintiff LERIN HILLS LENDERS, LLC
6 mail@asmithlaw.com

7 ALAN R SMITH on behalf of Plaintiff MARGARITA ANNEX LENDERS, LLC
8 mail@asmithlaw.com

9 ALAN R SMITH on behalf of Plaintiff MARLTON SQUARE I LENDERS, LLC
10 mail@asmithlaw.com

11 ALAN R SMITH on behalf of Plaintiff MARLTON SQUARE II LENDERS, LLC
12 mail@asmithlaw.com

13 ALAN R SMITH on behalf of Plaintiff MOUNTAIN HOUSE-PEGS LENDERS, LLC
14 mail@asmithlaw.com

15 ALAN R SMITH on behalf of Plaintiff OAK SHORES II, LENDERS, LLC
16 mail@asmithlaw.com

17 ALAN R SMITH on behalf of Plaintiff OCEAN ATLANTIC 2.75 LENDERS, LLC
18 mail@asmithlaw.com

19 ALAN R SMITH on behalf of Plaintiff OCEAN ATLANTIC 9.425 LENDERS, LLC
20 mail@asmithlaw.com

21 ALAN R SMITH on behalf of Plaintiff PALM HARBOR I LENDERS, LLC
22 mail@asmithlaw.com

23 ALAN R SMITH on behalf of Plaintiff SHAMROCK TOWER LENDERS, LLC
24 mail@asmithlaw.com

25 ALAN R SMITH on behalf of Plaintiff SO CAL LAND LENDERS, LLC
26 mail@asmithlaw.com

27 ALAN R SMITH on behalf of Plaintiff SVRB 2.325 LENDERS, LLC
28 mail@asmithlaw.com

ALAN R SMITH on behalf of Plaintiff SVRB 4.5 LENDERS, LLC
mail@asmithlaw.com

ALAN R SMITH on behalf of Plaintiff TAPIA RANCH LENDERS, LLC
mail@asmithlaw.com

1 ALAN R SMITH on behalf of Plaintiff TEN-NINETY 4.15 LENDERS, LLC
mail@asmithlaw.com

2
3 ALAN R SMITH on behalf of Plaintiff THE GARDENS 2.425 LENDERS, LLC
mail@asmithlaw.com

4 ALAN R SMITH on behalf of Plaintiff THE GARDENS LLC TSHR LENDERS, LLC
5 mail@asmithlaw.com

6 EDGAR C. SMITH on behalf of Creditor 3800 PRINCE STREET, LLC
7 ed.smith@buckleymadole.com,
8 candice.watkins@buckleymadole.com;Susana.Hernandez@BuckleyMadole.com;Lindsey.morales
@buckleymadole.com

9 ADAM M. STARR on behalf of Creditor MESIROW FINANCIAL INTERIM MANAGEMENT,
10 LLC
adam@geniusotc.com

11 JEFFREY J STEFFEN on behalf of Defendant AURORA INVESTMENTS LP
12 jsteffen@lrlaw.com

13 DAVID A. STEPHENS on behalf of Creditor GATEWAY STONE ASSOCIATES, LLC
14 dstephens@sdblawnfirm.com

15 DAVID A. STEPHENS on behalf of Creditor STANDARD PROPERTY DEVELOPMENT, LLC
dstephens@sdblawnfirm.com

16 ELIZABETH E. STEPHENS on behalf of Interested Party WILLIAM A LEONARD, JR.
17 stephens@shlaw.com,
18 hill@sullivanhill.com;millerick@sullivanhill.com;dabbieri@sullivanhill.com;bkstaff@sullivanhill
.com

19 ARIEL E. STERN on behalf of Interested Party BINFORD LENDERS, LLC
20 ariel.stern@akerman.com,
21 christine.parvan@akerman.com;steven.shevorski@akerman.com;allison.schmidt@akerman.com;d
ebbie.julien@akerman.com;lucille.chiusano@akerman.com

22 PETER SUSI on behalf of Creditor BERNARD SANDLER
23 PSusi@hbsb.com

24 PETER SUSI on behalf of Creditor BERNIE SANDLER
25 PSusi@hbsb.com

26 PETER SUSI on behalf of Creditor CONNIE COBB
PSusi@hbsb.com

27 PETER SUSI on behalf of Creditor DAVID E. GACKENBACH
28 PSusi@hbsb.com

1 PETER SUSI on behalf of Creditor JAY S STEIN
PSusi@hbsb.com

2
3 PETER SUSI on behalf of Creditor ROBERT ROWLEY
PSusi@hbsb.com

4 PETER SUSI on behalf of Creditor ROBERT J. ROWLEY
5 PSusi@hbsb.com

6 PETER SUSI on behalf of Creditor SUSAN GACKENBACH
7 PSusi@hbsb.com

8 PETER SUSI on behalf of Interested Party MICHAELSON, SUSI & MICHAELSON
9 PSusi@hbsb.com

10 EDWARD PATRICK SWAN, JR on behalf of Defendant DAVID A FOGG
pswan@jonesday.com

11 ERIC W. SWANIS on behalf of Creditor MESIROW FINANCIAL INTERIM MANAGEMENT,
12 LLC
swanise@gtlaw.com, lvlitdock@gtlaw.com;bonnerc@gtlaw.com

13 JEFFREY R. SYLVESTER on behalf of Counter-Claimant USA COMMERCIAL REAL
14 ESTATE GROUP
15 jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

16 JEFFREY R. SYLVESTER on behalf of Creditor HASPINOV, LLC
17 jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

18 JEFFREY R. SYLVESTER on behalf of Creditor JOSEPH D. MILANOWSKI 1998 TRUST
jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

19 JEFFREY R. SYLVESTER on behalf of Creditor PECOS PROFESSIONAL PARK, LLC
20 jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

21 JEFFREY R. SYLVESTER on behalf of Creditor USA COMMERCIAL REAL ESTATE
22 GROUP
jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

23 JEFFREY R. SYLVESTER on behalf of Creditor JOSEPH D. MILANOWSKI
24 jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

25 JEFFREY R. SYLVESTER on behalf of Creditor Joseph Milanowski Trustee Joseph D.
26 Milanowski 1998 Trust
jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

27 JEFFREY R. SYLVESTER on behalf of Defendant USA COMMERCIAL REAL ESTATE
28 GROUP
jeff@sylvesterpolednak.com, tina@sylvesterpolednak.com;bridget@sylvesterpolednak.com

1 KAARAN E. THOMAS on behalf of Defendant BINGHAM MCCUTCHEN, LLP
2 kthomas@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

3 KAARAN E. THOMAS on behalf of Defendant TANAMERA RESORT PARTNERS, LLC
4 kthomas@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

5 KAARAN E. THOMAS on behalf of Interested Party KREG ROWE
6 kthomas@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

7 KAARAN E THOMAS (lv) on behalf of Interested Party B & L INVESTMENTS, INC.
8 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

9 KAARAN E THOMAS (lv) on behalf of Interested Party CABERNET HIGHLANDS, LLC
10 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

11 KAARAN E THOMAS (lv) on behalf of Interested Party CAUGHLIN CLUB MANAGEMENT
12 PARTNERS, LLC
13 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

14 KAARAN E THOMAS (lv) on behalf of Interested Party CAUGHLIN CLUB REAL PROPERTY
15 INVESTORS, LLC
16 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

17 KAARAN E THOMAS (lv) on behalf of Interested Party CCRE INVESTORS, LLC
18 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

19 KAARAN E THOMAS (lv) on behalf of Interested Party CHARDONNAY VILLAGE
20 INVESTORS, LLC
21 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

22 KAARAN E THOMAS (lv) on behalf of Interested Party CLASSIC RESIDENCES, LLC
23 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

24 KAARAN E THOMAS (lv) on behalf of Interested Party COMSTOCK VILLAGE INVESTORS,
25 LLC
26 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

27 KAARAN E THOMAS (lv) on behalf of Interested Party DDH FINANCIAL CORP.
28 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

KAARAN E THOMAS (lv) on behalf of Interested Party DIAMOND VILLAGE INVESTORS 1
& 12, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

KAARAN E THOMAS (lv) on behalf of Interested Party DIAMOND VILLAGE INVESTORS
11, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

- 1 KAARAN E THOMAS (lv) on behalf of Interested Party DOUBLE DIAMOND HOMES, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 2
- 3 KAARAN E THOMAS (lv) on behalf of Interested Party DOUBLE DIAMOND
MANAGEMENT COMPANY, LLC
- 4 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 5 KAARAN E THOMAS (lv) on behalf of Interested Party EMIGH INVESTMENTS, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 6
- 7 KAARAN E THOMAS (lv) on behalf of Interested Party EQUUS MANAGEMENT GROUP,
INC.
- 8 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 9 KAARAN E THOMAS (lv) on behalf of Interested Party FOOTHILL COMMERCE CENTER,
LLC
- 10 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 11 KAARAN E THOMAS (lv) on behalf of Interested Party HOMEWOOD VILLAGE INVESTORS
I, LLC
- 12 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 13
- 14 KAARAN E THOMAS (lv) on behalf of Interested Party LA HACIENDA LAND INVESTORS,
INC.
- 15 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 16 KAARAN E THOMAS (lv) on behalf of Interested Party LONGLEY PROFESSIONAL
CAMPUS, LLC
- 17 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 18 KAARAN E THOMAS (lv) on behalf of Interested Party LONGLEY TOWN CENTRE, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 19
- 20 KAARAN E THOMAS (lv) on behalf of Interested Party MINERS VILLAGE INVESTORS,
LLC
- 21 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 22 KAARAN E THOMAS (lv) on behalf of Interested Party MONTICELLO INVESTORS, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 23
- 24 KAARAN E THOMAS (lv) on behalf of Interested Party MOUNTAINVIEW CAMPUS
INVESTORS, LLC
- 25 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 26 KAARAN E THOMAS (lv) on behalf of Interested Party MP TANAMERA, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com
- 27
- 28 KAARAN E THOMAS (lv) on behalf of Interested Party PIONEER VILLAGE INVESTORS,
LLC

1 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

2 KAARAN E THOMAS (lv) on behalf of Interested Party PRESERVE AT GALLERIA, LLC
3 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

4 KAARAN E THOMAS (lv) on behalf of Interested Party RENO CORPORATE CENTER, LLC
5 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

6 KAARAN E THOMAS (lv) on behalf of Interested Party RENO DESIGN CENTER, LLC
7 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

8 KAARAN E THOMAS (lv) on behalf of Interested Party ROWE FAMILY TRUST
9 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

10 KAARAN E THOMAS (lv) on behalf of Interested Party RTTC COMMUNICATIONS, LLC
11 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

12 KAARAN E THOMAS (lv) on behalf of Interested Party SANDHILL BUSINESS CAMPUS,
13 LLC
14 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

15 KAARAN E THOMAS (lv) on behalf of Interested Party SIERRA VISTA INVESTORS, LLC
16 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

17 KAARAN E THOMAS (lv) on behalf of Interested Party SOUTH MEADOWS COMMERCIAL
18 PROPERTY, LLC
19 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

20 KAARAN E THOMAS (lv) on behalf of Interested Party SOUTH MEADOWS OFFICE
21 INVESTORS, LLC
22 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

23 KAARAN E THOMAS (lv) on behalf of Interested Party SPARKS GALLERIA INVESTORS II,
24 LLC
25 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

26 KAARAN E THOMAS (lv) on behalf of Interested Party SPARKS GALLERIA INVESTORS,
27 LLC
28 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

KAARAN E THOMAS (lv) on behalf of Interested Party TANAMERA COMMERCIAL
DEVELOPMENT, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

KAARAN E THOMAS (lv) on behalf of Interested Party TANAMERA CORPORATE CENTER,
LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

KAARAN E THOMAS (lv) on behalf of Interested Party TANAMERA DEVELOPMENT LLC

1 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

2 KAARAN E THOMAS (lv) on behalf of Interested Party TANAMERA HOMES, LLC
3 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

4 KAARAN E THOMAS (lv) on behalf of Interested Party TANAMERA RESORT PARTNERS,
5 LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

6 KAARAN E THOMAS (lv) on behalf of Interested Party TCD FINANCIAL CORP.
7 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

8 KAARAN E THOMAS (lv) on behalf of Interested Party TCD LAND INVESTMENTS, LLC
9 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

10 KAARAN E THOMAS (lv) on behalf of Interested Party THE MEADOWS INVESTORS, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

11 KAARAN E THOMAS (lv) on behalf of Interested Party THE VINEYARD INVESTORS, LLC
12 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

13 KAARAN E THOMAS (lv) on behalf of Interested Party VINEYARD HIGHLANDS, LLC
14 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

15 KAARAN E THOMAS (lv) on behalf of Interested Party VINEYARD PROFESSIONAL
16 CAMPUS, LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

17 KAARAN E THOMAS (lv) on behalf of Interested Party WATERFORD PARTNERS, LLC
18 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

19 KAARAN E THOMAS (lv) on behalf of Interested Party WYNDGATE PARTNERS II, LLC
20 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

21 KAARAN E THOMAS (lv) on behalf of Interested Party WYNDGATE VILLAGE INVESTORS,
22 LLC
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

23 KAARAN E THOMAS (lv) on behalf of Interested Party BRETT SEABERT
24 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

25 KAARAN E THOMAS (lv) on behalf of Interested Party JOE LOPEZ
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

26 KAARAN E THOMAS (lv) on behalf of Interested Party KRAIG KNUDSEN
27 mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

28 KAARAN E THOMAS (lv) on behalf of Interested Party KREG ROWE
mmorton@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

1 KAARAN E THOMAS (lv) on behalf of Interested Party MICHAEL EFSTRATIS
2 mmorton@mcdonalddcarano.com, mmorton@mcdonalddcarano.com

3 ROLLIN G. THORLEY on behalf of Creditor IRS
4 rollin.g.thorley@irsounsel.treas.gov

5 LISA SHEAUFENG TSAI on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED
6 FUND, LLC
7 ltsai@rctlegal.com,
8 tstone@rctlegal.com;jbruckerhoff@rctlegal.com;mmyers@rctlegal.com;kvomacka@rctlegal.com

9 LISA SHEAUFENG TSAI on behalf of Plaintiff USA CAPITAL FIRST TRUST DEED FUND,
10 LLC
11 ltsai@rctlegal.com,
12 tstone@rctlegal.com;jbruckerhoff@rctlegal.com;mmyers@rctlegal.com;kvomacka@rctlegal.com

13 LISA SHEAUFENG TSAI on behalf of Plaintiff USACM LIQUIDATING TRUST
14 ltsai@rctlegal.com,
15 tstone@rctlegal.com;jbruckerhoff@rctlegal.com;mmyers@rctlegal.com;kvomacka@rctlegal.com

16 U.S. TRUSTEE - LV - 11, 11
17 USTPRegion17.lv.ecf@usdoj.gov

18 ERIC VAN on behalf of Defendant HMA SALES LLC
19 bankruptcynotices@gordonsilver.com

20 MICHAEL C. VAN on behalf of Creditor DEAN SHACKLEY
21 michael@shumwayvan.com,
22 sandy@shumwayvan.com;rob@shumwayvan.com;NVfileclerk@shumwayvan.com;leah@shumw
23 ayvan.com

24 GREGORY J. WALCH on behalf of Creditor GREGORY J. WALCH
25 GWalch@Nevadafirm.com

26 GREGORY J. WALCH on behalf of Creditor SHAUNA M. WALCH
27 GWalch@Nevadafirm.com

28 GREGORY J. WALCH on behalf of Plaintiff GREGORY J WALCH
GWalch@Nevadafirm.com

GREGORY J. WALCH on behalf of Plaintiff SHAUNA M. WALCH
GWalch@Nevadafirm.com

RUSSELL S. WALKER on behalf of Creditor USA INVESTMENT PARTNERS, LLC
rwalker@wklawpc.com, eloveridge@wklawpc.com;ckirk@wklawpc.com;tgrover@wklawpc.com

RUSSELL S. WALKER on behalf of Creditor JOSEPH D. MILANOWSKI
rwalker@wklawpc.com, eloveridge@wklawpc.com;ckirk@wklawpc.com;tgrover@wklawpc.com

1 RUSSELL S. WALKER on behalf of Creditor THOMAS HANTGES
2 rwalker@wklawpc.com, eloveridge@wklawpc.com;ckirk@wklawpc.com;tgrover@wklawpc.com

3 RUSSELL S. WALKER on behalf of Defendant HMA SALES LLC
4 rwalker@wklawpc.com, eloveridge@wklawpc.com;ckirk@wklawpc.com;tgrover@wklawpc.com

5 WHITNEY B. WARNICK on behalf of Creditor MICHAEL and CAROL HEDLUND
6 wbw@albrightstoddard.com, cgrey@albrightstoddard.com

7 WHITNEY B. WARNICK on behalf of Interested Party ALBRIGHT, STODDARD, WARNICK
8 & PALMER
wbw@albrightstoddard.com, cgrey@albrightstoddard.com

9 KIRBY R WELLS on behalf of Defendant JAMES FEENEY
10 SMartinez@wellsrawlings.com

11 GREGORY L. WILDE on behalf of Creditor SIERRA LIQUIDITY FUND, LLC
12 nvbk@tblaw.com,
13 jrgiordano@tblaw.com;mlbenson@tblaw.com;jlreedy@tblaw.com;grgarrett@tblaw.com;maerwin
@tblaw.com

14 GREGORY L. WILDE on behalf of Interested Party SIERRA LIQUIDITY FUND, LLC.
15 nvbk@tblaw.com,
16 jrgiordano@tblaw.com;mlbenson@tblaw.com;jlreedy@tblaw.com;grgarrett@tblaw.com;maerwin
@tblaw.com

17 KATHERINE M. WINDLER on behalf of Plaintiff ASSET RESOLUTION LLC
kwindler@verizon.net

18 KATHERINE M. WINDLER on behalf of Plaintiff SILAR ADVISORS, LP
19 kwindler@verizon.net

20 KATHERINE M. WINDLER on behalf of Plaintiff SILAR SPECIAL OPPORTUNITIES FUND,
21 LP
kwindler@verizon.net

22 KATHERINE M. WINDLER on behalf of Respondent ASSET RESOLUTION LLC
23 kwindler@verizon.net

24 KATHERINE M. WINDLER on behalf of Respondent SILAR ADVISORS, LP
25 kwindler@verizon.net

26 KATHERINE M. WINDLER on behalf of Respondent SILAR SPECIAL OPPORTUNITIES
27 FUND, LP
kwindler@verizon.net

28 BRENOCH R WIRTHLIN on behalf of Defendant AURORA INVESTMENTS LP
bwirthli@fclaw.com, aharris@fclaw.com

1 RYAN J. WORKS on behalf of Defendant BINGHAM MCCUTCHEN, LLP
2 rworks@mcdonaldcarano.com, kbarrett@mcdonaldcarano.com;bgrubb@mcdonaldcarano.com

3 RYAN J. WORKS on behalf of Defendant DAVID A FOGG
4 rworks@mcdonaldcarano.com, kbarrett@mcdonaldcarano.com;bgrubb@mcdonaldcarano.com

5 RYAN J. WORKS on behalf of Other Prof. Eugene Buckley
6 rworks@mcdonaldcarano.com, kbarrett@mcdonaldcarano.com;bgrubb@mcdonaldcarano.com

7 MICHAEL YODER on behalf of Creditor Committee OFFICIAL COMMITTEE OF
8 UNSECURED CREDITORS FOR USA COMMERCIAL MORTGAGE COMPANY
myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

9 MICHAEL YODER on behalf of Debtor USA COMMERCIAL MORTGAGE COMPANY
10 myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

11 MICHAEL YODER on behalf of Defendant USA COMMERCIAL MORTGAGE COMPANY
myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

12 MICHAEL YODER on behalf of Interested Party USACM LIQUIDATING TRUST
13 myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

14 MICHAEL YODER on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED FUND
15 LLC
myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

16 MICHAEL YODER on behalf of Plaintiff USA CAPITAL DIVERSIFIED TRUST DEED FUND,
17 LLC
myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

18 MICHAEL YODER on behalf of Plaintiff USACM LIQUIDATING TRUST
19 myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com

20 MATTHEW C. ZIRZOW on behalf of Creditor BUCKALEW TRUST
21 mzirzow@lzlawnv.com, carey@lzlawnv.com;mary@lzlawnv.com;trish@lzlawnv.com

22 MATTHEW C. ZIRZOW on behalf of Creditor KEVIN J. HIGGINS & ANA MARIE HIGGINS
23 FAMILY TRUST
mzirzow@lzlawnv.com, carey@lzlawnv.com;mary@lzlawnv.com;trish@lzlawnv.com

24 MATTHEW C. ZIRZOW on behalf of Creditor Committee OFFICIAL COMMITTEE OF
25 EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY
26 mzirzow@lzlawnv.com, carey@lzlawnv.com;mary@lzlawnv.com;trish@lzlawnv.com

27 MATTHEW C. ZIRZOW on behalf of Creditor Committee OFFICIAL COMMITTEE OF
28 HOLDERS EXECUTORY CONTRACT RIGHTS THRU USA COMMERCIAL MTG CO
mzirzow@lzlawnv.com, carey@lzlawnv.com;mary@lzlawnv.com;trish@lzlawnv.com

MATTHEW C. ZIRZOW on behalf of Defendant FERTITTA ENTERPRISES, INC.
mzirzow@lzlawnv.com, carey@lzlawnv.com;mary@lzlawnv.com;trish@lzlawnv.com

3993 Howard Hughes Parkway
Suite 600
Las Vegas, NV 89169-5996

**LEWIS ROCA
ROTHGERBER**